

Part Four – The Executive

Section Two – The Distribution of Executive Authority

2.01 The Leader of the Council is Cllr Elizabeth Campbell. Details of those Members she has appointed to her Leadership Team are published on the Council website.

Decisions by the Full Leadership Team

2.02 The Leadership Team makes decisions in the following circumstances:

- (a) matters reserved to the Leadership Team as set out in paragraph 2.03 below;
- (b) matters normally delegated to individual Lead Members where, in any particular case, the Leader directs that the decision should be made by the Leadership Team;
- (c) matters delegated to the individual Lead Member where the relevant Lead Member decides to refer any particular matter to the Leadership Team for decision; and
- (d) matters referred to the Leadership Team by individual Lead Members following call-in by Scrutiny - see Part Five, Section Three - of the Constitution.

2.03 The Leadership Team has overall responsibility for the preparation of the budget, and the policy and financial frameworks, which are to be agreed by the full Council. In carrying out these overall functions and responsibilities, the Leadership Team is responsible for the following:

- (a) Leadership in these areas:
 - (i) proposing policy development, changes and new policy;
 - (ii) articulating existing Council policy to other parties;
 - (iii) commenting on proposals from others on behalf of the Council, including through the media;
 - (iv) influencing others, including the media, in order to promote existing Council policy and associated matters; and
 - (v) the continuous improvement of Council services.

Note: *if for any reason the Leader and Deputy Leader are both unable to act, or the offices of the Leader and the Deputy Leader are both vacant, the Leadership Team must act in the Leader's place or must arrange for a member of the Leadership Team to act in the Leader's place.*

- (b) Working in partnership with other public, private, voluntary and community organisations to achieve the priorities and objectives set

Constitution - Part Four – The Executive
Section Two – The Distribution of Executive Authority

out in the Council Plan or other policies and strategies; and to otherwise support or benefit those who live in, work in or visit the Borough.

- (c) Decision-making in the following areas:
- (i) the introduction of new, or the development or termination of existing services within the Borough;
 - (ii) the acquisition of any land, which involves the use of a compulsory purchase order;
 - (iii) the letting of any contract covering a number of Council's directorates (other than in service areas specifically reserved to the full Council or one of its committees as set down elsewhere in the Constitution);
 - (iv) any proposal to transfer £500,000 or more from one budget head to another;
 - (v) all disposals of land and buildings - by way of the grant, transfer, assignment or renewal of a leasehold interest or the transfer of the freehold – that are of a sensitive or controversial nature, or where substantive councillor objections have been raised (not including the disposal of domestic dwellings under Right-to-Buy legislation);
 - (vi) the disposal of assets, excluding property, of £1.5million or more;
 - (vii) proposals for major policy plans to be recommended to Council;
 - (viii) proposals for the annual revenue and capital budgets to be recommended to Council, including proposals for local taxation; and
 - (ix) the setting up of local authority companies, including the making of appointments thereto.

Shareholder Committee

Membership

- 2.04 The Shareholder Committee will comprise three Members of the Executive ('Lead Members') which, subject to the decision of the Leader of the Council, will normally be: (i) the Lead Member for Finance, Customer Services, Net Zero Council (as Chair); (ii) the Lead Member for Planning and Public Realm; (iii) the Lead Member for Housing Management, Housing Safety, and Building New Homes.
- 2.05 Each Shareholder Committee member may nominate an alternate Lead Member to attend a meeting in their place.

Constitution - Part Four – The Executive
Section Two – The Distribution of Executive Authority

- 2.06 The Shareholder Committee will appoint the Lead Member for Finance and Customer Delivery as Chair of the Shareholder Committee. If the Chair is not present at the start of a meeting of the Shareholder Committee, those members present will appoint one of the members present to chair that meeting.

The Role of the Shareholder Committee

- 2.07 The Shareholder Committee will have a role in ensuring proper governance of any company or companies wholly owned or controlled by the Council, such role to include: (i) monitoring information from each company, in particular on financial and other risks, but also compliance with other policies and duties and escalating such risks within the Council as appropriate; (ii) exercising decisions relating to the Council's role as shareholder, member, owner, lender, or other position of significant control over the company where those decisions have been delegated to the Shareholder Committee; and (iii) making reports and recommendations to the Leadership Team on areas outside of the Shareholder Committee's delegated authority.
- 2.08 It is expected that each company will enter into a form of agreement with the Council (whether as owner, controller or lender) setting out the basis of the relationship between them (each a 'memorandum of agreement').
- 2.09 A detailed description of the Shareholder Committee's role in relation to each company will be set out in the relevant Memorandum of agreement.
- 2.10 The following decisions are delegated to the Shareholder Committee for all companies: (i) Altering in any respect the articles of association of a company (or any other governing document such as the rules of a community benefit society) (ii) Altering the rights attaching to any of the shares in a company (iii) Permitting the registration of any person as a shareholder or member of a company (iv) Nominating directors to be appointed on the board of a company and notifying a company to remove directors from its board (v) Increasing the amount of a company's issued share capital (vi) Altering the name of any company (vii) Adopting, reviewing or amending a company's business plan (viii) Where a company fails to produce a Business plan as required by its Memorandum of agreement, producing that company's Business plan (ix) Approving any decision relating to the issue of loan capital in relation to any company and to any approvals relating to any intra-group loans (x) Directing the board of a company to take or to refrain from taking a particular action (xi) Any other decision which is reserved to the Council as shareholder in the relevant governing documents of the company or in any Memorandum of agreement between the Council and that company.
- 2.11 Decisions which are not delegated to the Shareholder Committee in accordance with 2.4 (i)-(xi) above will be taken through the usual decision-

Constitution - Part Four – The Executive
Section Two – The Distribution of Executive Authority

making processes in accordance with the Council's governance and constitutional framework.

The Operation of the Shareholder Committee

- 2.12 The Shareholder Committee will meet three times per year, or more frequently if required.
- 2.13 The quorum for a meeting of the Shareholder Committee is a minimum of 2 members.
- 2.14 Meetings will be held in public or otherwise in line with the Council's Constitution.
- 2.15 The Shareholder Committee shall make its decisions as follows: (i) At meetings of its members by consensus of those present, unless any member of the Shareholder Committee requires a vote, in which event a majority decision will be taken with each member of the Shareholder Committee present having a single vote. The Chair of the meeting has a casting vote in the event that there is no clear majority; or (ii) In cases of urgency, by a decision made by the Chair of the Shareholder Committee, in normal circumstances following email consultation with the other Committee Members.
- 2.16 The Shareholder Committee will review the Terms of Reference annually and make any necessary recommendations for change to the Leader of the Council.

The Responsibilities of all Lead Members

- 2.17 There are occasions when matters affect more than one Lead Member's portfolio; on such occasions, the Lead Members concerned act together.
- 2.18 In undertaking the responsibilities delegated to him or her, a Lead Member must act lawfully. This means that the Lead Member must act within the scope of the authority that is delegated to him or her in accordance with any limits within the delegation, this Constitution, Council policies and procedures, the *Councillors' Code of Conduct* and having regard to professional advice from officers. The Lead Member must act prudently to make best use of Council resources through a combination of economy, efficiency and effectiveness.
- 2.19 Each Lead Member has political responsibility for the leadership, strategy and effectiveness of the services and areas of responsibility within their portfolios (as set out in para 2.12 (below)). As such each Lead Member is responsible for providing assurance to the Leadership Team about the functions, services and areas of responsibility within their portfolios.
- 2.20 The Lead Member is also democratically accountable to local communities and has a key role in defining the local vision and setting political priorities

Constitution - Part Four – The Executive
Section Two – The Distribution of Executive Authority

for their functions, services and areas of responsibility within the broader policy context of the Council.

2.21 Lead Members will

- (a) speak up on matters of local concern and act as the main Council spokesperson on issues within their portfolio;
- (b) liaise with the Chairs of the Overview and Scrutiny Committee and relevant select committee(s);
- (c) support the Leader of the Council in connection with functions and services organised on a bi-borough basis and other joint or partnership working arrangements;
- (d) promote the Council's policies and communicate with the public as appropriate through local and other media; and
- (e) provide assurance to the Leadership Team about the service areas and areas of responsibility within their portfolios.

2.22 Lead Members have responsibility for making key decisions when not taken by the Leadership Team for the service areas within their portfolios and specifically for

- (a) approving use of specific grants and/or funding from non-governmental sources, and any delivery plans and agreements in relation to such funding;
- (b) the approval of grants of £50,000 or more to voluntary and other organisations, and approving jointly with other Lead Members where the application affects more than one portfolio;
- (c) proposals and responses to Government and its agents, the Greater London Authority, and others;
- (d) approving requests for waivers from Contract Regulations in accordance with those Regulations;
- (e) giving approval to proceed to advertise or any other method of securing competition authorised by Contract Regulations for inviting and accepting tenders and quotations and for awarding contracts valued at £1.5million or more;
- (f) approving variations to contracts in accordance with the Contract Regulations;
- (g) approving recommendations to the Deputy Leader and Lead Member for Grenfell, Housing and Social Investment concerning the disposal or acquisition of property; and
- (h) the approval of the setting of new fees and charges and revising current ones.

2.23 In connection with services, policy and other matters within their portfolios, Lead Members will work with and provide support and challenge to the

Constitution - Part Four – The Executive
Section Two – The Distribution of Executive Authority

relevant chief officer(s) who have the professional and corporate accountability with regards to the following :

- (a) the overall strategy for services in accordance with the Council Plan;
- (b) the strategy for the continuous improvement of services
- (c) budget control within the budgetary framework approved by full Council;
- (d) sufficient overall levels of staffing, premises and other resources to secure agreed standards and target outcomes;
- (e) the efficient and safe use of Council premises by services and health and safety matters.

2.24 In addition to the specific functions above, Lead Members:

- (a) should attend Scrutiny meetings or hearings when so requested;
- (b) are required to respond to requests for information that made by Scrutiny members.

The Functions and Portfolios of Individual Lead Members

The Leader of the Council

- 2.25 The scope of the Leader’s responsibilities spans all portfolios, ensuring co-ordination and a coherent approach to the Council’s decision-making. The Leader can make any decision which is delegated to an individual Lead Member or to the Leadership Team. In this role, the Leader has specific political responsibility for leadership, strategy, effectiveness of services , partnership working and decision making within the following policy and service areas:
- (i) The Council Plan and Grenfell Legacy
 - (ii) Overall responsibility for Grenfell Recovery
 - (iii) Overall strategy, performance, policy and budgeting
 - (iv) The continued delivery of corporate transformation and change
 - (v) Emergency and civil contingency planning
 - (vi) The Grenfell Public Inquiry and other external examinations of the Council
 - (vii) Corporate services, including Strategy, Human Resources and Communications
 - (viii) Governance and decision making
 - (ix) Liaison with Government, the Greater London Authority and London Councils
 - (x) Local strategic partnerships and engagement with partner agencies

Deputy Leader and Lead Member for Employment, Culture & Economy

- 2.26 The scope of this portfolio is concerned with political leadership, strategy , partnership working and decision making within the following policy and service areas:
- (i) Economic development, employment, and skills
 - (ii) Working in partnership with museums and galleries; public art; events and film; and oversight of the Council’s cultural services.
 - (iii) The Council’s role in supporting Notting Hill Carnival.
 - (iv) Helping local people into work or better work.
 - (v) Linking local businesses into supply chain opportunities.
 - (vi) The Library and Archive Service, including North Kensington Library
 - (vii) Street markets and street trading.
 - (viii) The sustainability of high streets and retail

Constitution - Part Four – The Executive
Section Two – The Distribution of Executive Authority

- (ix) Apprenticeship within the Council, local partners, and suppliers
- (x) Alternative career pathways for residents aged 16+
- (xi) Further and adult education, skills, and employability
- (xii) The Council's role in the Grenfell restorative justice programme

Lead Member for Housing Management, Housing Safety & Building New Homes

2.27 The scope of this portfolio is concerned with political leadership, strategy, partnership working and decision making within the following policy and service areas:

- (i) Grenfell housing support, policy and delivery
- (ii) Improvement and investment in estates
- (iii) Lancaster West Estate improvements and projects
- (iv) Overarching investment in housing
- (v) Housing strategy and policy
- (vi) The Council's housing management service
- (vii) Driving improvements in housing safety standards
- (viii) Housing support
- (ix) Homelessness and allocations policy
- (x) The Housing Revenue Account business plan
- (xi) Supporting refugees and asylum seekers
- (xii) Working in partnership with registered housing providers and private sector housing providers

Lead Member for Adult Social Care & Public Health

2.28 The scope of this portfolio is concerned with political leadership, strategy, partnership working and decision making within the following policy and service areas:

- (i) Public health: COVID-19 recovery; the promotion of healthy living; the strengthening of health and wellbeing and reduction of health inequalities
- (ii) The safeguarding of vulnerable adults

Constitution - Part Four – The Executive
Section Two – The Distribution of Executive Authority

- (iii) Community-based support for adults affected by Grenfell
- (iv) Assessment and care management of social services for vulnerable adults
- (v) Services to support elderly people
- (vi) Services to support people with learning disabilities
- (vii) The provision of mental health services in partnership with NHS
- (viii) Physical disability services
- (ix) Transitions from children's to adult services
- (x) Partnership working and service integration with the local NHS
- (xi) Discretionary welfare provision and subsidised transport
- (xii) Chairing the Health and Wellbeing Board

Lead Member for Communities & Community Safety

2.29 The scope of this portfolio is concerned with political leadership, strategy, partnership working and decision making within the following policy and service areas:

- (i) Community engagement, consultation, and empowerment
- (ii) Supporting equality, diversity and inclusion
- (iii) The Grenfell Community Programme
- (iv) The Grenfell Dedicated Service for bereaved and survivors
- (v) The Grenfell legacy, alongside the leader of the Council
- (vi) Community safety
- (vii) Strengthening Police partnerships and relationships to help reduce crime (including chairing the Community Safety Partnership Board)
- (viii) The Council's working with the voluntary and community sector (VCS)
- (ix) Grant funding the Voluntary Sector Support Fund
- (x) Overseeing 'City Living, Local Life' ward budgets
- (xi) The Mayoralty

Lead Member for Family & Children's Services

2.30 The scope of this portfolio is concerned with political leadership, strategy, partnership working and decision making within the following policy and service areas:

- (i) The safeguarding of vulnerable children and young people

Constitution - Part Four – The Executive
Section Two – The Distribution of Executive Authority

- (ii) Ongoing support for children and young people in learning and educational settings.
- (iii) Support for children and young people affected by Grenfell
- (iv) Ensuring robust corporate parenting
- (v) Services for schools and pupils
- (vi) Nursery schools and childcare
- (vii) Children's centres
- (viii) Youth services, youth justice and the Youth Offending Team (YOT)

Lead Member for Property, Parks & Leisure

2.31 The scope of this portfolio is concerned with political leadership, strategy, partnership working and decision making within the following policy and service areas:

- (i) Property
- (ii) Social investment
- (iii) Hard and soft facilities management
- (iv) Parks and open spaces
- (v) Community gardens
- (vi) Leisure centres and sports facilities
- (vii) Mortuary and coroners' services
- (viii) Cemeteries

Lead Member for Planning & Public Realm

2.32 The scope of this portfolio is concerned with political leadership, strategy, partnership working and decision making within the following policy and service areas:

- (i) Planning policy and planning briefs for major sites, including Grenfell Memorial
- (ii) Transport strategy and transportation policies
- (iii) Parking policy and operations, including fees and charges
- (iv) On-street and Licensing enforcement
- (v) Trading Standards, food hygiene and health and safety
- (vi) Placemaking and improving the built environment
- (vii) Waste management, recycling, street cleaning and pest control

Constitution - Part Four – The Executive
Section Two – The Distribution of Executive Authority

- (viii) The maintenance and improvement of highways and street lighting
- (ix) Development control and enforcement; the Community Infrastructure Levy (CIL) and Section 106
- (x) The Council's responsibilities as Lead Local Flood Authority

Lead Member for Finance, Customer Services & Net Zero Council

2.33 The scope of this portfolio is concerned with political leadership, strategy, partnership working and decision making within the following policy and service areas:

- (i) Revenue and capital budget planning and monitoring (with the Leader)
- (ii) Investments, treasury management, income generation
- (iii) Capital programme delivery
- (iv) Delivery of the Council's Net Zero 2030 and 2040 commitments
- (v) Support with cost of living
- (vi) Customer services improvements and modernisation
- (vii) Registrars and bereavement services
- (viii) Digital transformation and enablement
- (ix) Policy and use for artificial intelligence (AI)
- (x) Legal and Electoral Services
- (xi) Procurement policy
- (xii) Corporate health and safety
- (xiii) Council tax and benefits