

THE CONSTITUTION – SECTION 13

TABLE 5: RESPONSIBILITY FOR EXECUTIVE BOARD FUNCTIONS AND SCHEME OF DELEGATION TO EXECUTIVE MEMBERS

1 Executive Board

- 1 The Executive Board will exercise all functions not reserved to the Council or otherwise delegated to a committee or officer, by this Constitution or the Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007.
- 2 Without prejudice to the generality of the foregoing this includes but is not limited to the following functions of the Council:-
 - (a) The Council's Housing functions;
 - (b) The Council's function as Local Authority under the Education Acts.
 - (c) The Council's function as Highway Authority, Street Works Authority, Transport Authority and under any contractual arrangements with Welsh Water Plc.
 - (d) The Council's functions in all matters relating to economic, industrial, commercial and employment development, tourism and urban and area renewal and land reclamation.
 - (e) The Council's functions in relation to the provision, promotion and development of environmental standards, consumer protection and public health, and as a Waste Collection and Markets Authority.
 - (f) The Council's functions in relation to Library and Information Services, Archives, Archaeology, Museum and Art Galleries, Community Centres, Countryside Service and Country Parks and Leisure and Recreation.
 - (g) The Council's functions under Section 2 and Schedule 1 of the Local Authority Social Services Act 1970 (as amended).
- 3 The Executive Board will also be responsible for the functions listed as being the responsibility of the Executive Board in Tables 1 and 3 of this section of the Constitution.
- 4 The Executive Board will also:-
 - (a) Formulate and prepare the major strategic plans requiring Council approval.
 - (b) Recommend the Council's budget for approval to the Council and calculate the Council Tax base (see Table 3 of this section).
 - (c) Ensure the effective corporate political management of the Council.
 - (d) Establish and review the capital programme.
 - (e) Agree the allocation of financial, human, land and property resources to services in line with corporate and service priorities.
 - (f) Formulate for recommendation to Council and implement the Council's policy in relation to any future local government restructuring.
 - (g) Review, develop and establish policies, strategies and initiatives not otherwise delegated or reserved to the Council.
 - (h) Monitor regularly the overall performance of the revenue and capital expenditure budgets.
 - (i) Deal with proposed virements not delegated to officers.
 - (j) Make appointments to outside bodies within its defined area of responsibility.
 - (k) Monitor action in response to the Auditor General for Wales Annual Improvement Report
 - (l) Determine any proposals relating to the use of reserves.

- (m) Receive reports and give any necessary authorisation for borrowing and treasury management.
- (n) Establish corporate standards for human resource management to ensure that the Council's legal obligations and policy requirements are met and to maximise the individual and collective contribution of employees in achieving the Council's objectives.
- (o) Determine responses to consultative documentation likely to have authority-wide implications.
- (p) Determine actions arising from the Improvement Objectives set and in conjunction with the appropriate Scrutiny Committee, to monitor progress against Improvement Objective action plans.
- (q) To foster and maintain positive relations with partner organisations.

5 A number of Executive Board functions are delegated to officers and Lead Members. Details of delegations to Lead Members can be found below and Scheme of Delegation to Officers are detailed in Table 6 appended to section 13 of the Constitution.

6 Joint Committees

6.1 The North and Mid Wales Trunk Road Agency Joint Committee

Under Section 10.3 the Executive Board has established a joint committee known as 'The North and Mid Wales Trunk Road Agency Joint Committee' with Conwy Borough Council, Ceredigion Council Denbighshire County Council, Flintshire County Council, Gwynedd Council, the Isle of Anglesey County Council and Powys County Council. The committee consists of two elected Councillors from each Member Authority. The Executive Board has delegated responsibility to the Joint Committee for supporting Gwynedd Council (as lead authority) and the other member authorities in delivering services pursuant to an agency agreement between the National Assembly for Wales and Gwynedd Council, relating to the maintenance and improvement of trunk roads in the areas of the member authorities, in accordance with the constitution of the joint committee.

6.2 Joint Committee for the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB).

Under Section 10.3 the Executive Board has established a joint committee known as the Joint Committee for the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) with Denbighshire County Council and Flintshire County Council. The Joint Committee comprises of 6 Cabinet/Executive Members, 2 from each Local Authority.

The Executive Board has delegated Authority to the Joint Committee to implement the approved Action Plan within budgets approved by each local authority. Meetings of the Joint Committee will only be quorate if at least one Member of each authority is present.

6.3 Joint Committee to discharge their obligations in relation to the North Wales Growth Deal

Under Section 10.3 the Executive Board has established a joint committee with Flintshire County Council, Denbighshire County Council, Conwy County Borough Council, Gwynedd Council and Isle of Anglesey County Council governed by an agreement dated 18 December 2018 between the local authorities and in additiona other partners in the education and business sectors. The joint committee comprises the Leaders of the local authorities together with representatives from the other partners taking part in an advisory capacity. The parties have entered into the agreement to formalise their respective roles and responsibilities in order to discharge their obligations in connection with the North Wales Growth Deal up to the point at

which the Growth Deal is signed by the parties, the UK Government and the Welsh Government.

6.4 Regional School Effectiveness and Improvement Services Joint Committee

Under Article 10.3 the Executive Board has established a joint committee with Flintshire County Council, Denbighshire County Council, Conwy County Borough Council, Gwynedd Council and Isle of Anglesey Council in accordance with an agreement dated 18 February 2013. The joint committee comprises 6 Executive Members with responsibility for education, one from each local authority. The purpose of the joint committee is to undertake the statutory responsibilities of the six Local Authorities in North Wales in respect of duties to monitor, challenge, provide support services for curriculum, continued professional development and management of schools and in addition provide services that can be commissioned by schools and local authorities.

Executive Delegations to Lead Members

Details of executive functions delegated to Lead Members are set out below

A. General Provisions

None of these delegations affect existing delegations to Officers.

1. To approve the attendance of Members at conferences, seminars and events in respect of matters solely relating to the functional remit of a Lead Member for the purposes of payment of subsistence and travel allowances where it is considered that such would be in the interests of the Council and in accordance with Council policy. (Note: If the Lead Member is to attend that attendance is to be approved by the Leader or Deputy Leader).
2. To approve the formation, scope and membership of Advisory Groups to undertake projects relating to specified aspects of the Lead Member's work. Each such Advisory Group shall cease following expiry of a fixed period of time agreed at the commencement of the project or the occurrence of a specified event. The continuance of all or any such Advisory Groups shall be reviewed at least annually by the Lead Member.
3. To appoint representatives to attend meetings of appropriate outside bodies in respect of functions solely under the remit of the Lead Member.
4. To determine the response to any consultation document or inspection report which falls solely within the remit of their Lead Member role.
5. To approve publication of any consultation document or inspection report which relates solely to their Lead Member role.
6. To approve the content of any plan, strategy or other policy document which relates solely to the Lead Member's role. This does not include plans and strategies which comprise the Council's Policy Framework as defined in section 4 of this constitution.
7. In cases not already delegated to Officers, to determine whether to determine to publish any statutory notices (other than in relation to the closure of schools) and to determine the action to be taken in light of any representations received following publication of such notice.
8. In the absence or inability of any Lead Member to act, the Leader shall exercise any decision making function of that Lead Member or allocate the decision to another Lead Member.

B. Specific Provisions

The Leader

1. To approve the attendance of Lead Members at conferences, seminars and other similar events outside the functional remit of a Lead Member's role, or where there is an attendance cost, i.e. Conference fee, for the purposes of payment of subsistence and travel allowances where it is considered that such would be in the interests of the Council and in accordance with Council policy.
2. To approve visits outside the UK by Members for which the Council has paid or will pay other than visits undertaken by the Leader in which case the procedure identified in the Guidance Notes on Members' Remuneration in section 24 of the Constitution shall be followed.
3. To appoint representatives of the Council on outside bodies where those outside bodies relate to Executive Functions of the Council including but not limited to:
 - The North Wales Fire and Rescue Authority and as necessary the Fire Authority's Executive Panel
 - The Council of the Welsh Local Government Association and the General Assembly of the Local Government Association and the Coordinating Committee of the WLGA together with the power to decide how Wrexham's voting rights are to be exercised
4. To approve, in consultation with declared Group Leaders, the attendance of Members and/or Officers at Royal Garden Parties

The Deputy Leader

5. In the absence or inability to act of the Leader, to exercise any of the decision making **functions delegated to the Leader.**

Lead Members for Children's Services and Education

6. To decide all matters relating to the appointment of Local Authority School Governors where there are more applicants than vacancies.
7. To appoint the Local Authority Member of the Fostering Panel.
8. To appoint the Local Authority Member of the Adoption Panel.
9. To appoint lay members to independent appeal panels dealing with admission and exclusion appeals to schools

A Lead Member may, if he/she considers it appropriate, elect to refer back to the Executive Board the exercise of any power delegated to that Member.

Delegations agreed by the Executive Board set out in this Section 13 Table 5 of the Constitution, shall remain in effect until subsequently amended or revoked as provided for in Section 5 of this Constitution.

Where a Lead Member, a Committee, or a Sub- Committee has not exercised a delegation to make an executive decision, the Executive Board may exercise their or his/her delegation.

Every decision of the Executive Board, a Lead Member, or a committee or a sub-committee exercising executive functions under delegated powers, shall comply in all respects with this Constitution and in particular with its Budget and Policy Framework, any relevant Rules of Procedure, Financial Regulations, codes and protocols.