

2B Cabinet

1. Cabinet

The Cabinet is the main decision making body of the Council.

Cabinet Members are appointed by the Leader and reported to the first business meeting of the municipal year.

Its powers and functions are known as “Executive Functions”

Membership

- (a) Political Balance. The cabinet is not required to have proportional political balance.
- (b) Membership. The Leader and Deputy Leader together with not less than 1 or more than
- (c) 8 other Councillors appointed by the Leader (maximum of 10 in total)
- (d) Chairing the Cabinet. The Leader, or in his/her absence the Deputy Leader, will chair any meeting at which he/she is present. In the absence of both a member of Cabinet appointed by those present will chair the meeting.

Terms of Reference

The Cabinet is responsible for all the functions of the Council unless they are delegated elsewhere, either by law or under this Constitution.

The main functions of the Cabinet are:

- (a) To recommend to full Council the Corporate Plan and Corporate Risk Register, Annual Revenue Budget, Medium Term Financial Strategy and Treasury Management Strategy
- (b) To recommend any in-year changes to the budget that are reserved to full Council.
- (c) To recommend to full Council the policies and strategies that form the Policy Framework.
- (d) To consider and review reports on the Council's performance
- (e) To approve the award of contracts that are reserved to Cabinet
- (f) To agree strategies and plans that are not in the Policy Framework
- (g) To consider reports on significant changes or issues relating to service delivery;
- (h) To receive and consider reports from Scrutiny Committee, including referrals from the call-in process;
- (i) To receive reports from members sitting on strategic partnerships

The Leader

The Leader is elected by a simple majority at the annual Council meeting following the four-yearly council elections. The Leader holds office for 4 years and remains in position until the annual Council meeting following the next council elections, unless:

- (a) He/she resigns as Leader; or
- (b) He/she is disqualified or is otherwise removed from office; or
- (c) The Council passes a resolution to remove the Leader (in accordance with Council Standing Orders) or

- (d) He/she is no longer a member of Council

(N.B. if the Leader is not elected or does not stand for election, he/she will remain in office during the period between the election and the annual Council meeting when a new Leader will be elected);

The Deputy Leader

- (a) The Leader will appoint a member to be Deputy Leader of the Council. The Deputy Leader must be a member of the Cabinet.
- (b) The Deputy Leader will hold office until the end of the Leader's term of office, unless:
- (a) He/she resigns as Deputy Leader; or
 - (b) He/she is removed by the Leader; or
 - (c) He/she is disqualified or is no longer a member of the Council.
- (c) If for any reason the Leader is unable to act or the office of Leader is vacant, the Deputy Leader will act in his/her place.

The Cabinet Members

- (a) The Leader will also appoint between one and eight other members of the Council to serve on the Cabinet.
- (b) Cabinet members shall hold office until:
- They resign from office as a Cabinet member; or
 - They are removed from office by the Leader; or
 - They are disqualified or are no longer a member of the Council;
- (c) If for any reason neither the Leader or Deputy Leader is able to act or both offices are vacant the Cabinet must act in the Leader's place or arrange for a member of the Cabinet to act in the Leader's place.

Changes to the Cabinet

- (a) The Leader shall notify the Chief Executive in writing of the size and composition of the Cabinet and of any subsequent changes and the date from which any changes are to take effect.
- (b) The Chief Executive must inform all members of the Council of any changes to the size and composition of the Cabinet within seven working days of being notified by the Leader and follow the procedure in the Cabinet Procedure Rules to report to full Council.

Proceedings of the Cabinet

- (a) The Cabinet will conduct its proceedings in accordance with the Cabinet Procedure rules set out in Part 4E of this Constitution.

Scheme of Delegation for Executive Functions

- (a) The Executive Leader may exercise all Executive Functions.
- (b) The Executive Leader has implemented the following delegations for Executive Functions
- The Executive Cabinet may exercise any Executive Function.

A Portfolio holder may take any Executive decision which relates to his or her Portfolio. The Executive Leader may take any decision which an individual Portfolio holder could take where the relevant Portfolio holder is unable or unwilling to take that decision. The Executive Leader may alter the allocation of responsibilities within any Portfolio.

- Chief Officers may take any Executive decision which relates to the services under their control except where the relevant Portfolio holder has instructed them not to make such a decision.
- Chief Officers may nominate other Officers to take decisions which they have the power to take.

Principles of Decision Making

All decisions must be made in accordance with the provisions of this Constitution and any policies of the Council.

The following principles shall be observed by decision makers exercising Executive functions:

- Key decisions should normally be made by the Cabinet as a whole;
- Decisions which significantly affect more than one Portfolio should normally be made by the Cabinet as a whole
- Decisions of an operational or managerial nature should normally be made by Chief Officers
- Decisions of a strategic nature would normally be made by Members.

No decision shall be open to legal challenge on the basis that these principles have been breached.

Membership

Cabinet Portfolios are:

Portfolio	Key Areas
Leader and Cabinet Member – Policy, Reform, Comms	Corporate Strategy Shared Services Public Service Reform Transformation Strategic Partnerships

	Strategic Developments Comms and events
Deputy Leader and Cabinet Member – Property, Assets, Commercial Services and Major Developments	Delivery and Management of Major Developments Community Centres Parks and Play Space Car Parking
Cabinet Member for Finance and Public Protection	Medium Term Financial Strategy Budget Licensing Environmental Heal Public Safety
Cabinet Member for Neighbourhoods and Waste Services	Streetscene Grounds Maintenance Waste and Recycling Climate Change and Biodiversity
Cabinet Member for Customer Services and Digital	Customer Services and Gateway Digital Strategy and IT
Cabinet Member for Planning, Business Support and Economic Development	Development Control Local Plan and Planning Policy Investment and Skills (including Skills Factory) UKSPF
Cabinet Member for Wealth Building, Social Justice, Equality and Diversity	Cross Cutting administrations' policy and organisational priorities Equality, Inclusion and Diversity
Cabinet Member for Communities, Leisure and Wellbeing	Leisure Centres (via leisure company) Active Health HAF Community Hubs

Lead Members and Member Champions

These roles are to support the Executive, will be appointed by the Leader in consultation with the relevant Cabinet Member and reported to Council for information.