

Part 4 – D

CABINET PROCEDURE RULES

1. THE CABINET

1.1 Cabinet Decisions

The arrangements for the discharge of executive functions are as set out in the executive arrangements adopted by the Council and set out in Part 3C and the Scheme of delegation to Officers in Part 7. These provide for executive functions to be discharged by:

- (a) the Cabinet as a whole;
- (b) a Cabinet committee or sub-committee;
- (c) an individual Cabinet member;
- (d) an officer;
- (e) joint arrangements;
- (f) another local authority.

1.2 Sub-Delegation

- (a) Where the Cabinet, a Cabinet committee or sub-committee, or an individual Cabinet member is responsible for an executive function, they may delegate further but not to a non-cabinet member.
- (b) Unless the Leader directs otherwise, if the Leader delegates functions to the Cabinet, then the Cabinet may delegate further to a Cabinet committee or sub-committee or to an officer.
- (c) Unless the Leader directs otherwise, a Cabinet committee to whom functions have been delegated by the Leader may delegate further to a sub-committee or to an officer.
- (d) Even where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated.
- (e) Portfolio descriptions of Cabinet members are set out in Part 3 – D of this Constitution

1.3 Conflicts of Interest

Cabinet members shall act in accordance with the Council's Code of Conduct for Councillors in Part 5 of this Constitution.

1.4 Meetings of the Cabinet

- (a) The Cabinet shall meet according to the dates determined by the Cabinet. As Chair of the Cabinet, the Leader shall, in consultation with the Chief Executive, convene additional meetings, cancel or reschedule meetings, as necessary, to enable the efficient and smooth operation of Cabinet business. Any changes to Cabinet dates which will impact on the Overview & Scrutiny Commission will be agreed in consultation with the Chair of the Commission and the Leader of the Opposition.
- (b) Meetings of the Cabinet will be held in the Civic Centre or another location to be agreed by the Leader. Meetings will begin at 7:15 p.m., unless determined otherwise and shall last no more than three hours.
- (c) Meetings of the Cabinet shall be open to any councillor, the media and the public. If the business under consideration is exempt or confidential as determined under the Access to Information Rules set out in Part 4 of this Constitution, then the meeting will not be open to the media or the public. If in the reasonable opinion of the Leader a councillor who is not a member of the Cabinet requires access to the information under discussion in any part of a meeting during which members of the public have been excluded, that councillor shall be permitted to remain in the Cabinet meeting during that time,
- (d) The Leader or Chair of a Cabinet committee or sub-committee may invite a non-Cabinet Council member to participate in the debate on an item of business but such member will not have any right to vote on the matter.
- (e) Notice of Cabinet, Cabinet committee or sub-committee meetings will be given and the agenda and papers for each meeting will be available in compliance with the Access to Information Rules set out in Part 4 of this Constitution.

1.5 Quorum

The quorum for a meeting of the Cabinet, Cabinet committee or sub-committee shall be three members of the Cabinet, one of whom shall be the Leader or a nominated Cabinet member. For a Cabinet committee or sub-committee meeting, the quorum shall be three councillors or one third of the membership of the relevant Cabinet committee or sub-committee, whichever is the larger.

2. CONDUCT OF CABINET MEETINGS

2.1 Chairing of Cabinet Meetings

If the Leader is present he/she will preside. In his/her absence, then his or her nominee shall preside.

2.3 Conduct of Business

At each meeting of the Cabinet the following business will be conducted:

- (a) apologies for absence;
- (b) declarations of interest, if any;
- (c) consideration of the minutes of the last meeting;
- (d) matters referred to the Cabinet (whether by the Overview and Scrutiny Commission or by the Council) for reconsideration by the Cabinet in accordance with the call-in provisions contained in the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution;
- (e) consideration of reports from the Overview and Scrutiny Commission or panels
- (f) other matters set out in the agenda for the meeting,

2.4 Consultation

All reports to the Cabinet from any Cabinet member or an officer on proposals relating to the budget and policy framework must contain details of the nature and extent of consultation with stakeholders and relevant Overview and Scrutiny panels, and the outcome of that consultation. Reports about other matters will set out the details and outcome of consultation as appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration. So far as possible Cabinet Members will consult with the relevant Overview and Scrutiny panel(s) before responding to consultations by outside bodies.

2.5 Inclusion of Items on the Cabinet Agenda

- (a) There will be a standing item on the agenda of each meeting of the Cabinet for matters referred by the Overview and Scrutiny Commission. In addition to any Best Value reviews, there may be up to 4 items referred for reconsideration by the decision-maker in accordance with the call-in procedures and up to 2 other reports from the Overview and Scrutiny Commission, per Cabinet meeting, unless agreed otherwise by the Leader.
- (b) The Chief Finance Officer and/or the Monitoring Officer may include an item for consideration on the agenda of a Cabinet meeting and may require the Proper Officer to call such a meeting in pursuance of their statutory duties

- (c) Otherwise the agenda for Cabinet meetings will be drawn up by the Chief Executive in consultation with the Leader of the Council.