

## Article 7 – The Cabinet

### **(a) The Role of the Cabinet**

*The Cabinet is at the heart of the day-to-day decision-making process. It also has a key role in proposing the Budget and Policy Framework to the Council. It includes elements which will be new to local government, including the possibilities for decision making by individual elected members, the directly Elected Mayor and the Council Manager. These features will introduce new dynamics into the local authority's governance.*

*The Rules of Procedure set out how the Cabinet will operate. These include arrangements for meetings, individual decision making, Scheme of Delegation and Sub-Delegation of functions.*

### **(b) Overview Groups**

The Cabinet will appoint Overview Groups.

Five of these to advise and make recommendations to the Cabinet on policies, proposals and issues.

The size of the Overview Groups shall be determined by the Cabinet and they shall be politically balanced in accordance with the Political Balance of the Council. The members shall be determined by each Political Group.

Overview Groups are not able to make decisions in their own right.

### **(c) Transportation Advisory Group**

The Cabinet may appoint a Transportation Advisory Group to discuss corporate traffic issues and make recommendations to the Cabinet or Portfolio Holder on individual transportation issues, including petitions if not a delegated matter to Area Committees.

The Transportation Advisory Group has authority to:

- (i) consult and meet residents, petitioners and interested persons; and
- (ii) respond to consultation from Cabinet and Area Committees

The size of the Transportation Advisory Group shall be determined by the Cabinet and it shall be politically balanced in accordance with the Political Balance of the Council. Members shall be determined by each Political Group.

The Advisory Group is not able to make decisions in its own right.

**(d) Grants Panel**

The Cabinet may appoint a Grants Panel to discuss grant applications and grant policies and make recommendations to the Cabinet or Portfolio Holder on these issues. The size of the Panel shall be determined by the Cabinet and it shall be politically balanced in accordance with the Political Balance of the Council. Members shall be determined by each Political Group.

The Grants Panel is not able to make decisions in its own right.

**7.01 Role**

The Cabinet will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution. It will make all day to day Cabinet decisions, lead the community planning process and spend the budget agreed by the Council.

**7.02 Council Appoints Cabinet**

The Cabinet will consist of the Council Leader and Deputy Leader together with at least 1, but not more than 8, Councillors appointed to the Cabinet by the Council.

**7.03 Leader**

The Leader will be a Councillor elected to the position of Leader by the Council. The Leader will hold office until:

- (a) he/she resigns from the office; or
- (b) he/she is suspended from being a Councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or
- (c) he/she is no longer a Councillor; or
- (d) on expiry of the Municipal Year save that the Council may remove the Leader from office at an earlier date; or
- (e) The Leader will hold the appointment of Chairman of the Cabinet.
- (f) The Leader will appoint a Deputy Leader who will act as Leader in his/her absence.

**7.04 Deputy Leader**

- Deputises for Leader as appropriate and when necessary
- Holds appointment of Vice-Chairman of the Cabinet.

- Assists the Leader with representational and spokesperson roles.

#### **7.05 Portfolio Holders**

The Cabinet will appoint Portfolio Holders to make decisions on behalf of the Cabinet within their areas of operation. Their decisions will be subject to the same procedures as decisions by the Cabinet itself including circulation to all Councillors and “call-in” arrangements.

In the absence of a Portfolio Holder the Leader or Deputy Leader may make a decision in the portfolio area concerned.

#### **7.06 Cabinet Members**

*Only Councillors may be appointed to the Cabinet. There may be no Co-Optees. Neither the Mayor nor Deputy Mayor may be appointed to the Cabinet and members of the Cabinet (including the Leader) may not be members of a Scrutiny Committee.*

Cabinet members shall hold office until:

- (a) they resign from office; or
- (b) they are suspended from being Councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); and the Council may appoint a replacement for the period of suspension; or
- (c) they are no longer Councillors; or
- (d) on expiry of the Municipal Year save that the Council may remove them from office, either individually or collectively, at an earlier date.

#### **7.07 Proceedings of the Cabinet**

Proceedings of the Cabinet shall take place in accordance with the Cabinet Procedure Rules set out in Part 4 of this Constitution.

#### **7.08 Responsibility for Functions**

The Leader will maintain a list in Part 3 of this Constitution setting out which individual members of the Cabinet, Committees of the Cabinet, officers or joint arrangements are responsible for the exercise of particular Cabinet functions.