

CABINET

at an administrative meeting held on
18th May 2001 at 2.00 p.m.

PRESENT: Mrs DSK Spink – Leader

Councillors Dr DR Bard CC Barker
 JD Batchelor Mrs EM Heazell
 SJ Kime Mrs DP Roberts
 RT Summerfield

Decisions to be made by Council

1. VIREMENT RULES

The Finance and Resources Director reported that, on testing the virement rules as they appeared in the constitution, they appeared unduly restrictive. The officer steering group had therefore recommended revised wording to give more authority to the Cabinet to agree virement within the main subjective headings of a main service. It was confirmed that the level 1 restriction on officers applied only to the awarding of grants. Cabinet

RECOMMEND that the following revised wording of the virement rules be accepted for inclusion in the constitution:

- a) Steps taken by the executive, a committee of the executive, an individual member of the executive or officers, area committees or joint arrangements discharging executive functions to implement Council policy shall not exceed those budgets allocated to each ~~budget head~~ *main service*. However, such bodies or individuals shall be entitled to vire ~~across budget heads~~ *within subjective headings of a main service* subject to the following constraints:

Virement is permitted within the subjective heading of 'employees' and between subjective headings, ~~including the use of any contingency budget~~, of the same main service (excluding employees) up to Level 2 with the approval of the Chief Executive or up to one half of Level 2 with the approval of the relevant Chief Officer;

- b) Virement in all other cases ~~of the same main service~~ *within the portfolio, including the use of any contingency budget*, will require the approval of the executive;
- c) ~~Beyond those limits, any~~ Virement across ~~budget heads~~ *committees/portfolios and between the General Fund and the Housing Revenue Account* shall require the approval of the Council.

This recommendation would be taken to Council on 19th July, together with 22 other amendments, most of them cosmetic.

Decisions made by Cabinet and reported for information

2. NAMING ARRANGMENTS**AGREED**

- a. that name cards be prepared for each cabinet member, with first and surname and portfolio title;
- b. that generally first names should be used in cabinet meetings between Members; Councillor Mrs Spink to be addressed as Leader and the officers to be addressed formally

3. APPOINTMENT OF DEPUTY LEADER

Two nominations were proposed: Councillor RT Summerfield and Mrs EM Heazell. Councillor Mrs Heazell stood aside and Cabinet

RESOLVED that Councillor RT Summerfield be appointed Deputy Leader for the coming year.

4. ALLOCATION OF PORTFOLIOS

Cabinet **AGREED** the following allocation of portfolios:

Conservation	Councillor Mrs DSK Spink
Resources and Staffing	Councillor RT Summerfield
Information and Customer Services	Councillor Dr DR Bard
Environmental Health	Councillor CC Barker
Housing	Councillor Mrs EM Heazell
Planning and Economic Development	Councillor SJ Kime
Sustainability and Community Planning	Councillor JD Batchelor
Community Development	Councillor Mrs DP Roberts

It was further **AGREED** that the two portfolio holders to each select committee should deputise for each other:

Personnel Resources and Communications:	Councillor RT Summerfield Councillor Dr DR Bard
Environment:	Councillor Mrs DSK Spink Councillor CC Barker
Planning and Housing:	Councillor Mrs EM Heazell Councillor SJ Kime
Community Well-being:	Councillor JD Batchelor Councillor Mrs DP Roberts

5. REMITS OF PORTFOLIO HOLDERS

A report was presented offering suggestions on the roles and remits of portfolio holders. These included general roles for all portfolio holders in relation to their services; the budgets/services each would have responsibility for, known key issues/activities, and key performance indicators. The report was intended as a starting point and the Policy and Review Manager suggested that it might be used as a base for training.

The suggestion that portfolio holders should report the results of Best Value reviews to the cabinet was queried, but the Policy and Review Manager indicated that the key was keeping in touch. If the review was suggesting significant changes, the portfolio holder should be involved at an early stage and bring to the cabinet if necessary. The Chief Executive confirmed the need for corporate issues to be considered by the cabinet, and at a sufficiently early stage to have an input. The portfolio holder should receive the minutes of the Best Value review meetings so that he or she could ensure that conflicting decisions were not being made.

It was noted that the cross-cutting role would be developed over time.

The report suggested that service staffing costs should be contained within the budgets of the individual portfolio holders and Councillor RT Summerfield, as portfolio holder for Resources and Staffing, stated that he was happy with that arrangement. The Leader commented that workforce planning would be a corporate issue and asked for liaison, not competitive bidding.

The responsibility of the Planning and Economic Development portfolio holder for development control was explained as being for procedures and delivery of service performance.

The issue of decision making until delegations to portfolio holders had been agreed was raised, but the Chief Executive suggested that the position was no worse than under the committee system and reminded Members that cabinet meetings would be more frequent than committees. He commented that judgements would be needed on whether policies were or should be part of the policy framework or whether they were simply policies developed through established practice. The Leader emphasised the need for a list of policies already in place and suggested that the officers could be trusted to use their judgement on whether decisions were urgent. Special meetings could be held if necessary.

The Head of Legal Services reported that certain corrective legislation to take account of the 2000 Local Government Act had not yet been passed, but that in only one particular might the Council have difficulty, in the delegation of powers under the 1972 Local Government Act. However, that Act stated that its provisions applied unless overruled by a later Act, which the 2000 Act did. DETR had suggested that new constitutions should not yet be fully put into operation, but his own advice was to continue. The worst possibility was that a decision might be ultra vires, which would mean beginning again, but he gave an assurance that he would not let that happen.

The Cabinet **AGREED**

- (1) to approve the general roles of portfolios in paragraph 3 of the report;
- (2) to approve the inclusion of service staffing costs within the budgets of individual portfolio holders

- (3) to approve the proposals in the appendix to the report for the budgets, key issues and performance indicators falling within the portfolios;
- (4) to provide the IDeA with the report as a basis for training and development;
- (5) to review the cross cutting role of portfolios again after the IDeA training sessions.

6. TRAINING AND DEVELOPMENT FOR THE CABINET

A report was presented on the proposed arrangements for training and development by the IDeA to give Cabinet the opportunity to make any necessary changes. No changes were proposed and it was **AGREED** that the timetable be arranged for completion by the end of June or early July.

Mr Swift was arranging the individual sessions directly with those involved.

7. DELEGATION SCHEME

The Chief Executive explained that he had offered to bring together a list of potential delegated powers but that this had proved to be more far reaching than he had thought. He therefore circulated a report outlining some of the issues involved and possible approaches to be adopted. He felt it would be essential to delegate some powers to portfolio holders in order for business to be completed.

Many areas were governed not so much by policy as by practice and this was causing some difficulty. Nevertheless, a scheme was needed of what powers should be reserved to cabinet. The report would not be exhaustive but he hoped it would act as a benchmark for decisions not specifically listed.

The Chief Executive asked whether Members would prefer officers to suggest items which might be appropriate for delegation to portfolio holders or whether to compile an overall list, leaving cabinet to choose. It was

AGREED that a full list of powers the responsibility of the executive should be circulated to members of the cabinet for them to discuss first with their respective chief officer(s) and then take to a meeting of cabinet.

It was further **AGREED** that the delegated powers list include reference, where appropriate, to consultation with local Members.

8. FIRST FOUR MONTH FORWARD PROGRAMME

A revised list of decisions which it was known would be required, with those recommended for inclusion in the four month forward programme highlighted, was presented. The content was **ACCEPTED**, but the following suggestions were made:

- That the format be changed to landscape, with boxes
- That where a particular village is affected, the name should appear in capitals at the front of the title
- That the contact for the Council's objectives should be the officer and/or the Leader, with the Leader being given an e-mail address of leader@scams, to be directed to her secretary here.

9. LINKS WITH SELECT COMMITTEES

It was agreed that the aim should be co-operation rather than call-in and that in furtherance of that aim, there should be informal meetings with select committee chairmen. It was considered that the meetings should be solely for that purpose and be held possibly once a quarter.

Direct links between the portfolio holder and the chairman of the select committee would also be extremely important.

It was confirmed that all Members would receive agenda for all committees and that executive members would be able to attend select committee meetings and speak. They might also be questioned by a select committee.

10. ROLE OF THE CHAIRMAN OF COUNCIL

Arising from the previous item, the role of the Chairman was discussed, particularly the extent to which he or she should be briefed on decisions being made. The majority view was that normally the Chairman should not need briefing beyond that given to all Members. His or her main decision making role would be in deciding, with the Chief Executive, whether an issue was so urgent that it could not wait until the next ordinary Council meeting.

It was noted that sealing of documents was now an executive function and **AGREED** that the Leader should be the first choice, followed by the Deputy Leader. In their absence, any member of the cabinet may be called upon.

11. EXTRAORDINARY COUNCIL MEETING

It was noted that the extraordinary meeting of the Council to discuss office accommodation would be held at 2.00 p.m. on Friday, 1st June 2001. It was hoped that the select committees could be appointed at that meeting and the chairmen and vice-chairmen elected at special meetings of the committees immediately following the Council meeting.

12. MEETING ARRANGEMENTS

It was agreed that the Council Chamber be used for the next meeting, if available, in case of interest from other Members. Future meetings could be held in Committee Room 1, with a smaller square of tables set out at the end furthest from the door and chairs set out nearer the door for the public. The partition could be opened if necessary.

It was confirmed that the meeting after next should be on the 14th June unless there was insufficient business, followed by the 21st June.

13. RESERVED CAR PARKING

It was **AGREED** that the Chairman and Vice-Chairman of the Council should no longer have allocated parking. One of the spaces should be allocated for the Leader and the other should normally be available for any other member of the cabinet, but on cabinet meeting days should be reserved for the Deputy Leader.

The meeting closed at 4.25 p.m.