

D. Cabinet Procedure Rules

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1. How the Cabinet Operates

1.1 Who may make Executive decisions?

The Leader may personally exercise executive functions or may provide for executive functions to be discharged by:

- (a) the Cabinet as a whole;
- (b) a committee of the Cabinet (which may only comprise Cabinet members);
- (c) an individual member of the Cabinet;
- (d) an officer;
- (e) joint arrangements; or
- (f) another local authority

The Leader may amend the Scheme of Responsibility for Executive functions at any time during the year by giving notice to the proper officer.

The arrangements for the discharge of executive functions shall be set out in Part 3 of this Constitution.

1.2 Cabinet meetings – when and where

The frequency and timing of meetings of the Cabinet shall be determined by the Leader. The Cabinet shall meet at the Council's main offices or another location to be agreed by the Leader.

1.3 Meetings of the Cabinet

Cabinet meetings shall normally be held in public. The Access to Information Rules in Part 4 of this Constitution set out the requirements relating to access to meetings of the Cabinet and specify when meetings of the Cabinet may be held in private.

1.4 Quorum

The quorum for a meeting of the Cabinet, or a committee of it, shall be not less than three (including the Leader or Deputy Leader (Statutory) in the case of the Cabinet).

1.5 How decisions are to be taken by the Cabinet

- (a) Executive decisions which have been delegated to the Cabinet as a whole shall be taken at a meeting convened in accordance with the Access to Information Rules in Part 4 of the Constitution
- (b) Where executive decisions are delegated to a committee of the Cabinet, the rules applying to executive decisions taken by them shall be the same as those applying to those taken by the Cabinet as a whole.
- (c) The Access to Information Procedure Rules also govern the procedure for decision making by individual members of the Cabinet.

1.6 Interests

- (a) Where any member of the Cabinet has a conflict of interest this should be dealt with in accordance with the Council's Code of Conduct for Members in Part 5 of this Constitution.
- (b) If the exercise of an executive function has been delegated to an individual member or an officer and a conflict of interest should arise, then the member or officer shall be expected to refer the decision upwards.

2. How Cabinet Meetings are Conducted

2.1 Who presides?

If the Leader is present, they shall preside. In their absence, then the Deputy Leader (Statutory) shall preside. The Leader or other person presiding shall, in the event of a voting tie, have a second or casting vote.

2.2 Who may attend?

The Access to Information Rules in Part 4 of this Constitution set out the rights of the public to attend Cabinet meetings and also cover attendance and speaking rights of councillors.

2.3 What business?

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

- (a) consideration of the minutes of the last meeting;
- (b) declarations of interest, if any;

- (c) public speaking, in accordance with Council Standing Order 10;
- (d) matters referred to the Cabinet (whether by a scrutiny and overview committee or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in the Scrutiny and Overview Procedure Rules or the Budget and Policy Framework Procedure Rules set out in Part 4 of this Constitution;
- (e) consideration of reports from scrutiny and overview committees; and
- (f) matters set out in the agenda for the meeting, and which shall indicate which are key decisions, and, which are not, in accordance with the Access to Information Procedure Rules set out in Part 4 of this Constitution.

2.4 Consultation

All reports to the Cabinet from any member of the Cabinet or an officer on proposals relating to the budget and policy framework shall contain details of the nature and extent of consultation with stakeholders, the relevant scrutiny and overview committee, and the outcome of that consultation. Reports about other matters shall set out the details and outcome of consultation as appropriate. The level of consultation required shall be appropriate to the nature of the matter under consideration.

2.5 Who can put items on the Cabinet agenda?

- (a) The Leader may put on the agenda of any Cabinet meeting any matter which they wish, whether or not authority has been delegated to the Cabinet, a committee of it or any member or officer in respect of that matter. The proper officer shall comply with the Leader's requests in this respect.
- (b) There shall be a standing item on the agenda of each meeting of the Cabinet for matters referred by the scrutiny and overview committees.
- (c) The Monitoring Officer and / or the Chief Finance 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.

2.6 Meetings of Individual Lead Cabinet Members

An individual lead cabinet member may make a decision in a public meeting where they consider it expedient to do so. Formal meetings, when held, shall be in public in accordance with the provisions of the Access to Information Rules in Part 4 of the Constitution, except where confidential or exempt information, as defined in those Rules is to be discussed.

3. Advisory Groups

- 3.1 The Cabinet may establish advisory groups to inform its decisions and assist it in the discharge of its functions, whether by the Cabinet as a whole or by a committee of the Cabinet or by a Cabinet member. It may do so upon its own initiative or upon the recommendation of a scrutiny and overview committee or any councillor or councillors. The Cabinet shall appoint the members of each advisory group (which may include non-Cabinet members and co-opted non-members of the Council, where appropriate) and shall determine the terms of reference and working term of each group. Advisory groups shall, wherever practicable, comprise representatives of more than one political group.
- 3.2 All members of the Council may attend and (with the agreement of the Chair) speak at advisory group meetings. The Chair may invite any other person or body to attend a meeting of an advisory group to inform discussion on any matter within its terms of reference.
- 3.3 An advisory group may meet in any location jointly with any other committee or advisory group of the Council or with any joint committee or any other group or body of any other local authority to discuss any matter within its terms of reference.