

# APPENDIX 8

## **PROCEDURE RULES FOR CABINET**

### **1. Leader and Cabinet**

- 1.1 The Sections of the Constitution (Part 2) and in particular Section 7 establish the position of the Leader and Cabinet
- 1.2 The Cabinet is not a committee of the Council
- 1.3 The Cabinet consists of the Leader with at least 2 but no more than 9 Councillors (one of whom will be the Deputy Leader) who do not have to be selected for political proportionality
- 1.4 The Leader may at any time appoint and remove any Cabinet member by notice to the Chief Executive
- 1.5 The Leader shall allocate such portfolios as he/she determines
- 1.6 Executive functions shall be discharged by the Cabinet as a whole, by committees of Cabinet, by single Executive Members or by officers in accordance with the procedures set out in the Responsibilities of the Cabinet and the Scheme of Delegation to Officers.

### **2. Setting the Cabinet Agenda**

- 2.1 The Leader after consultation with the Chief Executive will decide upon the dates and agenda for the meetings of the Cabinet
- 2.2 Any Cabinet Member may request the Leader to arrange for an item to be placed on the agenda of the next available Cabinet meeting
- 2.3 The Council, the Chief Executive, Head of Legal and Governance and the Executive Director (Resources and Support Services) or an Overview and Scrutiny Committee may require an item to be placed on the agenda of the next available Cabinet meeting. In the case of the officers, they may require that a meeting be convened.

### **3. Decision-making Procedures**

#### **3.1 Chairing Meetings**

The Leader or in his absence the Deputy Leader shall chair meetings of the

Cabinet

### **3.2 Cabinet**

All items of business other than items reserved to Council or delegated by Council to committees of the Council or officers shall be referred to Cabinet for decisions in line with the budget and policy framework at Appendix 9

### **3.3 Procedure Rules**

The Cabinet may regulate the conduct of its own meetings but may adopt such provisions of the Council's procedural rules as it wishes

### **3.4 Public/Private Meetings**

Executive decisions will be taken at meetings held in public or in private subject to legal requirements, particularly the Access to Information Procedure Rules set out in Appendix 11 which sets out the requirements relating to forward plans, key decisions, records and reasons for decisions and access to information

### **3.5 Quorum**

Quorum at a meeting of Cabinet or a committee or sub-committee established by Cabinet shall be 50% of its voting membership

### **3.6 (1) Attendance at Cabinet**

The Chair or spokesperson of the Council's overview and scrutiny committees and the mover of any motion referred to Cabinet shall be entitled to attend any formal public meeting of Cabinet to speak

(2) Other persons including non-Executive Members of the Council may speak at such meetings with the permission of the Chair of Cabinet

### **3.7 Voting**

Voting shall be by show of hands. Any Member may require their vote be recorded in the minutes. The Chair of the meeting shall have a second casting vote in the event of a tie

### **3.8 Interests**

Personal interests shall be dealt with as set out in the Members' Code of Conduct at Appendix 18

### **3.9 Notice of Items**

Not less than 5 clear days before a meeting of the Cabinet the Chief Executive will

send to all Members of the Council a summary of all items for consideration at the meeting and shall publish a summary of all decisions taken to all Members

### **3.10 Representations**

A non-Executive Member may make representations on an agenda item to the Cabinet by delivering a written note of the representations to the Chief Executive not later than midday on the day before the Cabinet meeting

### **3.11 Budget/Policy Decisions**

Cabinet decisions on the budget and policy framework shall be made in accordance with Appendix 9

### **3.12 Call-in**

The call-in of decisions will be in accordance with the Overview and Scrutiny Procedure Rules at Appendix 10.

## **4. Cabinet Panels**

**4.1** Cabinet panels may be established by the Cabinet

**4.2** Cabinet panels will be established by the Cabinet in order to examine a specific area of work or policy. They will be clearly defined and have an agreed terms of reference for the required piece of work or area of policy to be reviewed. The brief and terms and reference will be defined by the Cabinet

**4.3** The rules of political proportionality shall apply to the membership of each panel

**4.4** Chairs of the panels will be the relevant portfolio holder

**4.5** The date and place of meetings shall be set by the Chair of the panel as far ahead as possible and notified to Members. Once a date is set it will not be changed without consulting other Members

**4.6** The quorum for the meeting will be one quarter of the members, with a minimum of three

**4.7** An agenda and reports will be sent to Members at least 5 clear days in advance of each meeting

**4.8** Minutes of each meeting will be produced and published as per other formal Council meetings

**4.9** Decisions will be formally recorded and subject to the same call-in procedure as other committees

- 4.10** Cabinet panels shall report to the Cabinet, and may refer matters to the relevant Scrutiny Committee for comment
  
- 4.11** Panels will be time limited and terminated upon reporting unless their brief is extended by Cabinet.