

## **CABINET PROCEDURE RULES**

### **1. Introduction**

1.1 The Cabinet makes “executive decisions” which are any decisions relating to Council services which have not been reserved to Council or delegated to another Committee.

2.2 Executive functions can be discharged by:

- Cabinet as a whole Cabinet committee;
- An individual Member of the Cabinet;
- An officer in line with the Scheme of Delegation;
- Joint arrangements; or
- Another local authority in line with the Scheme of Delegation

### **3. Sub-delegation of executive functions**

3.1 Where the Cabinet is responsible for an executive function, then it may delegate the function to an officer or discharge it through joint arrangements.

3.2 If an executive function has been delegated to a Cabinet Member or Officer or it may still be discharged by Cabinet or a Committee of Cabinet.

### **4. Conflicts of Interest**

4.1 Where the Leader of the Council has a conflict of interest this should be dealt with as set out in the Member’s Code of Conduct

4.2 If every Member of the Cabinet has a conflict of interest this should be dealt with as set out in the Member’s Code of Conduct.

5. If the exercise of a Cabinet function has been delegated to a Committee of the Cabinet, a Cabinet Member or an Officer, and should a conflict of interest arise, then the function will be exercised by the Cabinet for Officer decisions and the Leader for Cabinet Member decisions.

### **6. Who can be a member of Cabinet?**

6.1 The Cabinet consists of the Leader of the Council, and up to 9 other Councillors. The Leader of the Council is elected by Council, but the Leader is responsible for appointing the other Members of the Cabinet, and for notifying the Council of such appointments.

6.2 No substitution arrangements will apply to the Cabinet, and neither the Mayor nor Deputy Mayor may be appointed to the Cabinet.

## **7. When will Cabinet meet?**

7.1 Cabinet shall meet in accordance with the [Calendar of Meetings](#).

7.2 Extraordinary meetings may be called if considered necessary as determined by the Proper Officer following consultation with the Leader.

## **8. Quorum (amount of members needed to attend each meeting)**

8.1 The quorum for Cabinet shall be not less than half.

## **9. Who Chairs Cabinet?**

9.1 The Chair of Cabinet shall be the Leader. The Leader will also chair any Cabinet Committee at which he/she is present. In the absence of the Leader, the Deputy Leader shall take the chair. In the absence of both, another Member shall be appointed to preside at the meeting.

## **10. Who can attend Cabinet?**

10.1 All meetings of the Cabinet shall be open to the public except where the item under discussion is considered exempt under Schedule 12A and Section 1001 of the Local Government Act 1972 or confidential under Section 100A of the Local Government Act 1972.

## **11. How are decisions to be taken by the Cabinet?**

11.1 Executive decisions which have been delegated to the Cabinet as a whole will be taken at a meeting convened in accordance with the Access to Information Rule.

11.2 Where Executive Decisions are delegated to a Committee of the Cabinet, the rules applying to Executive Decisions shall apply to them. These are shown in the Access to Information Rules.

11.3 The Leader or in his/her absence, the person presiding shall have the option of using a second and casting vote in the event of there being an equal amount of votes cast.

## **12. What business will be conducted at a meeting?**

12.1 Cabinet must consider at each ordinary meeting;

- matters referred to the Cabinet (whether by the Scrutiny committee or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in the Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules

- other matters set out in the agenda for the meeting, indicating which are key decisions and which are not in accordance with the Access to Information Procedure Rules

12.2 Any Member of the Cabinet may ask the Leader that an item is placed on the agenda of the next available meeting of the Cabinet for consideration. The Leader shall decide if it shall be added to the agenda.

12.3 At the discretion of the Leader of the Council (or in his/her absence the Deputy Leader) or by agreement by the Cabinet, a Member of the Council can be invited to take part in discussions at a meeting of the Cabinet on any particular item under consideration. The Member would not have voting rights.

### **13. Cabinet Committees/Sub-Committees**

13.1 The Cabinet may appoint such Committees or Sub-Committees as it considers necessary and appropriate to assist in the discharge of its functions.

13.2 In making such appointments, the Cabinet must specify the name of the Committee/Sub-Committee, its membership (including its Chairman and, if appropriate, Vice-Chairman) and the terms of reference of the body.