

## **Part C – The Cabinet**

### **Section C1:- The Cabinet**

#### **In Part C:-**

**This section (C1)** contains an overview of the Cabinet, and the discharge of Cabinet functions.

**Section C2** sets out the roles and attributes of Cabinet Members and Opposition Group Leaders

**Section C3** contains the Cabinet Procedure Rules which govern Cabinet meetings and Cabinet decision taking.

**Appendix A** sets out Individual Cabinet Portfolios and Service Areas

## **Part C – The Cabinet**

### **Section C1:- The Cabinet**

#### **In this Section:-**

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## 1. Introduction

- 1.1 The Cabinet is a group of Members who are responsible for making proposals to Council about what its priorities should be and how it should use its resources. Once agreed by Council, these proposals become the Council's Budget and Policy Framework (**"the Framework"**).
- 1.2 The Cabinet is then responsible for making all of the necessary arrangements to ensure that the priorities identified by the Council are delivered within the budgets and policies that the Council sets.

### 2.1 Appointing the Cabinet

- 2.2 Council will appoint a Leader (the **"Leader"**). The Leader appoints between 2 and 9 more Members who, together with the Leader, form the Council's Cabinet.
- 2.3 The Leader will assign a range (or **"Portfolio"**) of Services areas to each Cabinet, Member. Each Cabinet Member (or **"Portfolio Holder"**) will be responsible for overseeing the Cabinet's responsibilities in respect of the Services within their Portfolio.

## 2. Cabinet Responsibilities

- 3.1 Sections A1 and B1 of this constitution set out which functions are not Cabinet functions, either by operation of law, or because they are "local choice" functions which Council has decided not to allocate to the Cabinet. Council has decided that all other functions of the authority will be carried out by the Cabinet.
- 3.2 This means that the Cabinet will be responsible for deciding how to implement Council budgets and policies, for monitoring and reviewing the effectiveness of all budgets and policies, joint working, area working and localism arrangements, corporate and community governance arrangements, and all services provided by, for and to the Council.
- 3.3 The Cabinet is empowered to do anything it considers necessary or appropriate to deliver the Council's priorities so long as it does not take

any action or adopt any policy which is contrary to the Budget and Policy Framework. It will make recommendations to the relevant body in respect of any matters that are not within its remit, which includes any suggested alterations to the Budget and Policy Framework.

- 3.4 If the Cabinet or individual Cabinet Members are minded to make a decision notwithstanding advice from Officers that the proposed decision is not within the adopted Budget and Policy Framework, the matter must be referred to Council to decide.

### **Appointments to Outside Organisations**

- 3.5 Council has decided that the Cabinet (collectively) will appoint to the following outside organisations:-

- (a) Avenue Services (NW) Ltd
- (b) Cheshire Fire Authority
- (c) Cheshire Police and Crime Panel
- (d) Cheshire and Warrington Local Enterprise Partnership
- (e) Cheshire and Warrington Local Transport Body (CWLTB)
- (f) Chester Race Company
- (g) Chester Renaissance Partnership Board
- (h) Cheshire West and Chester Community Interest Company (Brio)
- (i) Cheshire Wirral Partnership NHS Foundation Trust
- (j) Corporate Disability Access Forum
- (k) Countess of Chester NHS Foundation Trust
- (l) Ellesmere Port Development Board
- (m) Learning Disability Partnership Board
- (n) Local Government Association – General Assembly
- (o) Manchester Port Health Authority

- (p) Mersey Dee Alliance
- (q) Mid Cheshire Partnership Board (formerly Weaver Vale Regeneration Partnership Board)
- (r) North West Local Authority Employers' Organisation (NWEO)
- (s) North West Housing Executive
- (t) PSP LLP
- (u) Rural Regeneration Board (including Market Towns) (Formerly Market Towns and Rural Agenda Partnership Board)
- (v) Sanctuary North West Board
- (w) Weaver Vale Housing Trust
- (x) 871 Growth Board

### **3. Discharging Cabinet Functions**

#### **Discharge by Officers**

- 4.1 The core objective of this Council's approach to decision making is to ensure that decisions are taken at the most appropriate level closest to those who will be affected by the decision in question.
- 4.2 In accordance with this core objective, Council has decided that unless a power or function is specifically reserved to Members under this constitution or by operation of law, it stands delegated to Officers in accordance with the Scheme of Delegation set out in Section F2.
- 4.3 Council has also agreed a set of Contract and Finance Procedure Rules which impose limits on the amount of financial expenditure that Officers can authorise. These are set out in Section G4.

#### **Discharge by Individual Cabinet Members**

- 4.4 Under the Scheme of Delegation and the Contract and Finance Procedure Rules there will be decisions that Officers will be required to refer to or take in consultation with the relevant Portfolio Holder
- 4.5 Council has decided that each Cabinet Member will be responsible for all of those types of decisions which sit within their Portfolio unless the decision:-

- (a) relates to a proposal to alter the Budget or Policy Framework
  - (b) is to authorise expenditure in excess of £1 Million
  - (c) is likely to have a significant impact on how the authority operates
  - (d) is likely to have a significant impact on the responsibilities of another Portfolio Holder.
- 4.6 The Leader (on advice from the appropriate Chief Officer<sup>1</sup>) shall resolve any ambiguity as to which Portfolio Holder is responsible for a particular matter.
- 4.7 Where a matter is likely to impact on the responsibilities of other Portfolio Holders, but those impacts are not considered to rank as significant for the purposes of paragraph 4.5 (d) above, then the lead Portfolio Holder may make the decision after consulting with the other relevant Portfolio Holders.
- 4.8 Cabinet Members must consult Chief Officers and the Monitoring Officer before taking any decisions. Where a Chief Officer or the Monitoring Officer, prior to the implementation of a decision, provides written advice to the effect that one of the exceptions in paragraph 4.5 above applies, then the decision in question will stand deferred to the next meeting of the Cabinet.
- 4.9 The Leader, or a Cabinet Member in respect of decisions in their Portfolio, may, prior to the decision in question being taken, give notice to the Monitoring Officer with the effect that the decision will no longer fall to be taken individually by that Cabinet Member.

### **Discharge by the Cabinet Collectively**

- 4.10 Council has decided that all Cabinet decisions which are not delegated to Officers or Portfolio Holders in the manner set out above will be determined by the Cabinet collectively.

### **Other Arrangements**

- 4.11 Council has decided that the Cabinet may arrange for any decision that they are collectively responsible for to be taken by an individual Cabinet Member, a

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<sup>1</sup> "Chief Officer" means the Chief Executive or any of the Directors

Committee of the Cabinet or under joint arrangements with or by another authority.

### **Cabinet Procedure Rules**

- 4.12 The Cabinet and Portfolio Holders will comply with the requirements of the Cabinet Procedure Rules in the discharge of Cabinet functions.

## **Cheshire West and Chester Portfolios**

**(with effect from May 2015)**

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### **Corporate Services Portfolio**

**Officers: Steve Robinson, Laurence Ainsworth and Sam Brouzas**

**Councillor Samantha Dixon, Leader of the Council**

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### **Adult Social Care Portfolio**

**Officers: Jill Broomhall, Alistair Jeffs and Fiona Reynolds**

**Councillor Paul Dolan**

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### **Culture, Leisure and Wellbeing Portfolio**

**Officers: Fiona Reynolds, Alison Knight, John Outram and Maria Byrne**

**Councillor Louise Gittins (Deputy Leader of the Council)**

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### **Economic Development and Infrastructure**

**Officer: Alison Knight, John Outram and Maria Byrne**

**Councillor Brian Clarke**

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### **Children and Families Portfolio**

**Officers: Emma Taylor, Helen Brackenbury and Mark Parkinson**

**Councillor Nicole Meardon**

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## **Environment and Community Portfolio**

**Officers: Maria Byrne, John Outram and Alison Knight**

**Councillor Mark Henesy**

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## **Democracy and Workforce**

**Officer Vanessa Whiting, Sam Brouzas and Alistair Jeffs**

**Councillor Paul Donovan**

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## **Legal and Finance Portfolio**

**Officers: Vanessa Whiting, Mark Wynn and Alison Knight**

**Councillor David Armstrong**

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## **Housing Portfolio**

**Officer: Alison Knight**

**Councillor Angela Claydon**