

## Article 8 – The Cabinet

The Cabinet is at the heart of the day-to-day decision making process. It also has a key role in proposing the budget and policy framework to the Council. It includes provision for decision-making by individual Councillors.

### 8.1 Form and composition

The Cabinet will consist of the Leader together with at least two but not more than nine Councillors appointed to the Cabinet by the Leader

### 8.2 Cabinet Membership

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Portfolio	Cabinet Member
Cultural Services (Arts, Cultural Services and Heritage)	Councillor Matthew Lee (Leader)
Business Transformation and Property	Councillor Kelham Cooke (Deputy Leader)
Growth	Councillor Helen Goral
Planning	Councillor Nick Robins
Communications and Engagement	Councillor Hannah Westropp
Communities, Health and Wellbeing	Councillor Robert Reid
Housing	Councillor Barry Dobson
Finance	Councillor Adam Stokes
Commercial and Operation	Councillor Dr Peter Moseley

#### Leader – Councillor Matthew Lee

The Chairman of the Cabinet, responsible for organisational vision and objectives and key strategic direction. Representing the Council on key, high level and strategic joint working and partnership arrangements between public sector partners e.g. LEP. Cabinet Member for Cultural Services including the Arts, Cultural Services and Heritage.

#### Remit:

- The Arts
- Cultural Services
- Heritage

#### Deputy Leader - Councillor Kelham Cooke

The Vice Chairman of the Cabinet. Cabinet Member for Business Transformation and Property responsible for key public-private strategic commercial ventures,

partnerships and projects and has an overarching cross cutting role that operates across service areas with direct accountability for services underpinning organisational effectiveness namely driving commerciality, procurement, HR, legal and assets.

**Remit:**

- Business Transformation
- Non-Housing Council Owned Property, Assets & Maintenance (i.e. hard Facilities Management)
- Elections
- Governance & Data Protection
- Gravitass Housing Ltd
- HR and Organisational Development
- Legal & Democratic Services
- Procurement
- Public-private strategic commercial ventures, partnerships and projects

**Cabinet Member for Growth – Councillor Helen Goral**

Maximise and develop opportunities for indigenous and inward investment across the District, developing Grantham as a leading sub regional centre. Development of commercial and infrastructure delivery schemes. Support the delivery of strategic business investments in Grantham, Stamford, Bourne and the Deepings. Facilitate close working with the private sector on potential joint venture/partnership schemes. Maximise external funding opportunities creating a network of business locations, office floor space, and start up and move on space. Liaison with Local Enterprise partnerships regarding funding schemes and programmes.

Adopting a key focus on revitalising town centres, promoting the distinctiveness of four market towns, developing leisure destinations that serve the local community and attract shoppers and visitors from a wider area, expanding the visitor economy. Develop new tourism products and support close working with existing and emerging tourism attractions. Supporting business led town centre initiatives and creation of vibrant, enhanced market offer across the four towns. This remit includes responsibility for leisure centres, sports and sports development.

The development of a business and community skills agenda.

**Remit:**

- Agricultural and Rural Economy
- Business & Enterprise
- Conservation
- Markets and Fairs
- Planning and delivery of strategic retail, housing and industrial developments
- Economic Strategy

- Grants & Assistance
- Inward Investment
- Leisure Centres
- Shop Front Designs and Funding
- Sports and Sports Development
- Skills
- Street Furniture
- Tourism
- Town Centre Development and Partnerships

### **Cabinet Member for Planning – Councillor Nick Robins**

Strategic housing and planning policy including Local Plan development, identifying key housing and employment sites with appropriate land allocations to meet need.

#### **Remit:**

- Design guidance and standards
- Local Plan and Supplementary Planning documents
- Neighbourhood Plans
- Planning Services and Policies

### **Cabinet Member for Communications and Engagement – Councillor Hannah Westropp**

Working across all service areas, promoting and developing best practice approach to corporate communications and resident/stakeholder engagement. Development of effective, proactive communications strategy, enhancing reputation management, strengthening the Council's identity and brand with residents, business and partners.

Overview of key initiatives and programmes to “put the Council on the map” raise awareness of investment opportunities and the District's potential as a desirable place in which to live work or visit. Building a comprehensive engagement programme with communities to gather feedback, customer intelligence and insight to inform future policies and service development.

#### **Remit:**

- Brand Management and place marketing
- Communications
- Consultations
- Engagement

## **Cabinet Member for Communities, Health and Wellbeing – Councillor Robert Reid**

Overview of the prevailing future strategic health agenda and its impact on local communities in relation to health and inequalities and future service provision. The development, engagement and involvement with local community groups and special projects. Overview and development of community cohesion. Supporting communities to thrive and develop and foster community safety/protection initiatives in liaison with key partners e.g. Health, Police and other statutory agencies to adapt and encompass fit for purpose, cost effective arrangements to respond to increasing demand as a result of forecast population growth and factors. Engagement and involvement with local community groups and positive and proactive Parish and Town Council liaison.

### **Remit:**

- Anti-social behaviour
- Community Cohesion
- Community Funding and Volunteering
- Community Right to Bid
- Community Safety and Local Policing
- Customer Services
- Equalities and Diversity
- Health
- Parish and Town Council Liaison
- Safeguarding
- Well-being

## **Cabinet Member for Housing - Councillor Barry Dobson**

Development of new market and affordable housing to meet the needs of local communities both in towns and across the rural areas of the district. Recognise and support the importance of housing provision and delivery via effective HRA Business Planning and housing strategy.

### **Remit:**

- Assisted Garden Maintenance Scheme
- Benefit Claims
- DASH Landlord Accreditation Scheme
- Disabled Facilities Grant
- Empty Homes Assistance
- Empty Homes Discount
- Essential Home Repair Assistance
- Homelessness
- Housing Management, Improvement and Repairs
- Housing Partnership
- Landlords Forum

## **Cabinet Member for Finance – Councillor Adam Stokes**

Effective use of financial resources, supporting and facilitating the delivery of Council objectives. Ensuring the continued development and review of financial governance frameworks, investment policies and forward planning and forecasting.

Consideration of pooling arrangements, business rate retention models and efficiency plan. Effective budget preparation and risk management to enable optimum use of available financial resources.

### **Remit:**

- Audit and accountability
- Business Rate Relief
- Budget preparation and Council tax
- Charitable Rate Relief
- Council tax collection
- Finance and accountancy
- Fraud investigation
- Grants and subscriptions
- Non-Domestic rates
- Risk management
- Rural Rate Relief

## **Cabinet Member for Commercial and Operations – Councillor Dr Peter Moseley**

Developing and maintaining healthy, clean environment within South Kesteven. Development of effective environmental strategies and policies to benefit local communities. Overview of waste collection and recycling initiatives including representation on the countywide Strategic Waste Partnership. Implement and review key environmental protection strategies and programmes. Ensure communities are safe clean and healthy via effective street cleansing operations and licensing policies.

Developing strategies and policies for car parking, street parking permits and historic parks and gardens.

Business continuity and emergency planning. Explore, evaluate and identify commercially viable opportunities across the remit where appropriate. It also has responsibility for the Council's information technology across all areas of business.

### **Remit:**

- Air Quality
- Alcohol, entertainment and leisure licensing
- Allotments
- Animal Welfare licensing
- Building Control
- Business Continuity and Emergency Planning

- Business Trade & Licensing
- Car Parks
- CCTV
- Commercial, Industrial and Clinical Waste Collection and Management
- Dog breeding & control orders
- Domestic Waste & Recycling Management
- Energy Efficiency
- Estate and Grounds Maintenance
- Flooding
- Food Hygiene and Safety
- Gambling & Lotteries licensing
- Health & Safety
- Information Technology
- Internet of things and Digital connectivity – Digital Infrastructure
- Noise
- Public Conveniences
- Renewable Energy
- Scrap Metal Dealers
- Soft Facilities Management
- Street Lighting
- Street Parking Permits
- Street Services and Green Open Space Management
- Tattoo, licensing and hygiene rating system
- Taxi & private vehicle, driver and operator licensing
- Wild animal licences

The Scheme of Delegation relating to the Council's Officers is set out in Article 16 of the Council's Constitution and the Chief Executive is delegated with the authority to authorise offices in accordance with that Article.

### **8.3 Leader with Cabinet**

#### **(a) Role**

The Cabinet will carry out all of the local authority's functions that are not the responsibility of any other part of the local authority, whether by law or under this Constitution provided the matter is not one that a Council's Cabinet is by law precluded from resolving.

#### **(b) Leader**

The Leader will be a Councillor elected to the position by the Council. The Leader will hold office until

- (i) He or she resigns from the office
- (ii) He or she is no longer a Councillor

- (iii) The expiry of a four year term which will be extended to end on the day of the next post-election annual meeting of the Council.
- (iv) A Cabinet leader may only be removed from office by resolution of the Council in accordance with Section 9IA or Regulations under section 9ID of the Local Government Act 2000 (as amended).

The Leader will

- Determine the size of the Cabinet
- Appoint members to the Cabinet
- Allocate Portfolio areas to Cabinet Members
- Allocate decision-making power to Cabinet and individual Cabinet Members
- Remove and replace Cabinet Members.

#### **8.4 Other Cabinet Members (including the Deputy Leader)**

Only Councillors may be appointed to the Cabinet. There may be no co-optees and no substitutes for Cabinet members. Neither the Chairman nor Vice-Chairman of the Council may be appointed to the Cabinet. Members of the Cabinet (including the Leader) may not be members of the Overview and Scrutiny Committees.

Other Cabinet Members, including the Deputy Leader, shall hold office until whichever of the following events shall first occur

- (i) They resign from office
- (ii) They are no longer Councillors
- (iii) They are removed from office, either individually or collectively, by resolution of the Council
- (iv) Until the next annual meeting of the Council
- (v) The Leader rearranges Portfolios and/or Cabinet members
- (vi) The Leader removes a Cabinet Member from his or her post

The Leader may at his or her discretion appoint Councillors to support Cabinet Members to assist with their work in shaping and developing the priorities of the Council so far as it relates to individual portfolios provided that any support member so appointed will not exercise any Executive function of a Cabinet Member and no special responsibility allowance can be made.

#### **8.5 Proceedings of the Cabinet**

##### **8.5.1 Who may make Cabinet Decisions?**

The arrangements for the discharge of Executive functions are set out below. If they are not set out there, then the Leader may decide how they are to be exercised. In either case, the arrangements or the Leader may provide for Executive functions to be discharged by

The Cabinet as a whole

- (ii) A committee of the Cabinet
- (iii) An individual member of the Cabinet
- (iv) An officer
- (v) An area committee
- (vi) Joint arrangements
- (vii) Another local authority

### **8.5.2 Delegation by the Leader**

At the annual meeting of the Council, the Leader will present to the Council a written record of delegations made by him or her for inclusion in the Council's scheme of delegation in Article 16 of this Constitution. The document presented by the Leader will contain the following information about executive functions in relation to the coming year

- (i) The names, addresses and Wards of the people appointed to the Cabinet by the Leader
- (ii) The extent of any authority delegated to Cabinet members individually including details of the limitation on their authority
- (iii) The terms of reference and constitution of such Cabinet committees as the Leader appoints and the names of Cabinet Members appointed to them
- (iv) The nature and extent of any delegation of Cabinet functions to area committees, any other authority or any joint arrangements and the names of those Cabinet members appointed to any joint committee for the coming year
- (vi) The nature and extent of any delegation to officers with details of any limitation on that delegation and the title of the officer to whom the delegation is made



### **8.5.3 Sub-delegation of executive functions**

- (i) Where the Cabinet, a Cabinet committee or an individual Cabinet member is responsible for an executive function, they may delegate further to an area committee, joint arrangements or an officer
- (ii) Unless the Council directs otherwise, the Cabinet may further delegate any functions that have been delegated to it by the Leader to a Cabinet committee or to an officer.
- (iii) Unless the Leader directs otherwise, a Cabinet committee to whom functions have been delegated by the Leader may delegate further to an officer.

### **8.5.4 The Council's scheme of delegation and Executive functions**

- (i) Subject to (ii) below the Council's scheme of delegation will be subject to adoption by the Council and may only be amended by the Council. It will contain the details required in this Article and set out in Article 16 of this Constitution.
- (ii) If the Leader is able to decide whether to delegate Executive functions, he or she may amend the scheme of delegation relating to Executive functions at any time during the year. To do so, the Leader must give written notice to the proper officer and to the person, body or Committee concerned. The notice must set out the extent of the amendment to the scheme of delegation and whether it entails the withdrawal of delegation from any person, body, committee or the Cabinet as a whole. The proper officer will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.
- (iii) Where the Leader seeks to withdraw delegation from a committee, notice will be deemed to be served on that committee when the Leader has served it on its chairman.

### **8.5.5 Conflicts of Interest**

- (i) Where the Leader has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Part 2 of this Constitution.
- (ii) If every member of the Cabinet has a conflict of interest this should be dealt with as set out in the Council's Code of Conduct for Members in Part 2 of this Constitution.
- (iii) If the exercise of an Executive function has been delegated to an Cabinet committee, an individual Cabinet member or an officer, and a conflict of interest arises, then the function will be exercised in the first instance by the person or body by whom the delegation was made and

otherwise as set out in the Council's Code of Conduct for Members in Part 2 of this Constitution. In particular there should be

- Early disclosure of any interest
- A written record identifying the nature of the interest

#### **8.5.6 Cabinet meetings**

The Cabinet will meet at least 12 times per year to be agreed by the Leader. The Cabinet shall meet at the Council's main offices or another location to be agreed by the Leader.

#### **8.5.7 Attendance at Open Meetings of the Cabinet**

Any Member of the Council may attend any open meeting of the Cabinet, its Committees and Sub Committees. That Member may speak and ask the relevant Cabinet Member questions (but not vote) on any item on the agenda of the meeting. The Council Procedure Rule 4.11.4 relating to the length of speeches whereby no speech may exceed 5 minutes without the consent of the Leader or other chairman of the Cabinet meeting will apply.

#### **8.5.8 Where there is a requirement to hold a Cabinet meeting in private**

- (i) At least 28 clear days before a private meeting, the Cabinet must
  - Make available at the designated offices a notice of its intention to hold the meeting in private
  - Publish that notice on the website
- (ii) Any such notice must include a statement listing the reasons why the meeting is to be held in private
- (iii) At least five clear days before a private meeting, the Cabinet must
  - Make available at the designated offices a further notice of its intention to hold the meeting in private
  - Publish that notice on its website
- (iv) Any such notice must include
  - A statement of the reasons why the meeting is to be held in private
  - Details of any representations received by the Cabinet about why the meeting should be open to the public
  - A statement of its response to any such representations
- (v) Where the date by which a meeting must be held makes compliance with this requirement impracticable, the meeting may only be held in private where the Cabinet has complied with Rule 17.4.

### **8.5.9 Attendance at Private meetings of the Cabinet**

#### **a) Members**

- (i) All members of the Cabinet may attend
- (ii) Notice of private meetings of the Cabinet will be served on the Chairmen of all Overview and Scrutiny Committees at the same time as notice is served on members of the Cabinet. Where an Overview and Scrutiny Committee does not have a Chairman, the notice will be served on all members of that Group and/or Committee
- (iii) Where a matter under consideration at a private meeting of the Cabinet is within the remit of an Overview and Scrutiny Committee, the Chairman of that Committee and/or the Vice-Chairman, may attend that private meeting with the consent of the person presiding, and speak if those present agree
- (iv) In addition to (iii) above, non-Cabinet Councillors will be permitted to attend private meetings of the Cabinet only by invitation of the Leader, and speak in relation to specific items on the agenda only if the Leader's prior consent has been obtained. Requests for such consent to speak shall be made in writing and delivered to the Leader or Chief Executive or other proper officer no later than noon on the preceding working day.

#### **b) Officers**

- (i) The Head of Paid Service, the Chief Finance Officer and the Monitoring Officer and their nominees are entitled to attend any meeting of the Cabinet. The Cabinet may not meet unless the Chief Executive has been given reasonable notice that a meeting is to take place
- (ii) A private Cabinet meeting may only take place in the presence of the Monitoring Officer or his or her nominee with responsibility for recording and publicising the decisions
- (iii) Other than the legal requirements, consideration will be given to the principles of decision-making set out in Article 17 of this Constitution

### **8.5.10 Quorum**

The quorum for a meeting of the Cabinet, or a Committee of it, shall be one third of the total number of members of the Cabinet (including the Leader) or 3 including the Leader, whichever is the larger.

### **8.5.11 How decisions are to be taken by the Cabinet**

- (i) Cabinet 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 Rules contained in Article 17 of the Constitution.
- (ii) Where Cabinet decisions are delegated to a Cabinet committee, the rules applying to Cabinet decisions taken by them shall be the same as those decisions taken by the Cabinet as a whole.

## **8.6 How Cabinet Meetings are conducted**

### **8.6.1 Who presides?**

If the Leader is present he or she will preside. In his or her absence, then a person appointed to do so by those present shall preside.

### **8.6.2 Business on the agenda**

At each meeting of the Cabinet the following business will be conducted

- i) Consideration of the minutes of the last meeting
- ii) Disclosures of interest if any
- iii) Matters referred to the Cabinet (whether by an Overview and Scrutiny Committee or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in Articles 6 or 7 or the Budget and Policy Framework Procedure Rules set out in Article 4 of this Constitution
- (iv) Consideration of reports from Overview and Scrutiny Committees
- (v) Matters set out in the agenda for the meeting. The agenda must indicate which items are key decisions and which are not in accordance with the Access to Information Procedure rules set out in Article 17 Decision Making of this Constitution
- (vi) Chairmen or Vice-Chairmen of Overview and Scrutiny Committees are able to speak at Cabinet meetings before debate of an item relevant to their Committee

### **8.6.3 Consultation**

All reports to the Cabinet from any member of the Cabinet or an officer on proposals relating to the budget and policy framework must contain details of the nature and extent of consultation with stakeholders and relevant Overview and Scrutiny Committees, and the outcome of that consultation. Unless in case of urgency, the Cabinet will consult with the relevant Overview and Scrutiny Committee on the following plans and strategies to be adopted by the Cabinet as a matter of local choice:

- Economic Development
- Housing Strategy
- Equality and Diversity in Employment Policy
- Health and Safety Policy
- Data Protection Policy
- Freedom of Information Publication Scheme
- Environmental Health Services Enforcement Policy
- Regulation of Investigatory Powers Act Policy
- All other future plans and strategies that feature in the Forward Plan as Policy Framework Proposals not within the Council's Policy Framework according to Article 4.1 of this Constitution.
- Key human resources and organisational development strategies and policies that have significant financial implications.

Reports about other matters will set out the details and outcomes of consultation where appropriate. The level of consultation required will be appropriate to the nature of the matter under consideration.

## **8.7 Who can put items on the Cabinet agenda?**

- 8.7.1** The Leader will decide upon the schedule for the meetings of the Cabinet. He or she may put on the agenda of any Cabinet meeting any matter that he or she wishes, whether or not authority has been delegated to the Cabinet, a Cabinet committee or any member or officer in respect of that matter. The proper officer will comply with the Leader's requests in this respect.
- 8.7.2** There will be a standing item on the agenda of each meeting of the Cabinet for matters referred to it by the Overview and Scrutiny Committees and from the Council. However there may only be up to 3 such items per Cabinet meeting.
- 8.7.3** 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. In other circumstances, where any two of the Head of Paid Service, Chief Finance Officer and Monitoring Officer are of the opinion that a meeting of the Cabinet needs to be called to consider a matter that requires a decision, they may jointly include an item on the agenda of a Cabinet meeting. If there is no meeting of the Cabinet soon enough to deal with the issue in question, then the person(s) entitled to include an item on the agenda may also require that a meeting be convened at which the matter will be considered.

## **8.8 Responsibility for Functions**

The Leader will maintain a list in this Constitution setting out which individual members of the Cabinet, Cabinet committees, officers or joint arrangements are responsible for the exercise of particular Executive functions.

## **8.9 Consideration of reports from external auditors**

The Cabinet is to be responsible for the initial consideration of reports from the Council's external auditors with pertinent items being forwarded to the Governance and Audit Committee.