

EXECUTIVE PROCEDURE RULES

I. OPERATION OF THE CABINET

I.1 Making executive decisions

The arrangements for the discharge of executive functions are set out in the executive arrangements adopted by the Council. The arrangements may provide for executive functions to be discharged by:

- (i) the Cabinet as a whole;
- (ii) a committee of the Cabinet;
- (iii) an officer;
- (iv) an area committee;
- (v) joint arrangements; or
- (vi) another local authority.

I.2 Sub-delegation of executive functions

- (a) Where the Cabinet or a committee of the Cabinet is responsible for an executive function, they may delegate further to an area committee, joint arrangements or an officer.
- (b) Even where executive functions have been delegated, that fact does not prevent the discharge of delegated functions by the person or body who delegated them.

I.3 The Council's scheme of delegation and executive functions

The Council's scheme of delegation, except for the delegation of executive functions by Cabinet, will be subject to adoption by the Council and may only be amended by the Council. It contains the details required by Articles 7, 10 and 11 and is set out in Part 3 of this Constitution.

I.4 Conflicts of Interest

- (a) Where the Leader or any member of the Cabinet has a conflict of interest this should be dealt with as set out in the Members' Code of Conduct in Part 5 of this Constitution.
- (b) If the exercise of an executive function has been delegated to a committee of the Cabinet or an officer, and should a conflict of interest arise, then the function will be exercised in the first instance by the body by whom the delegation was made.

1.5 Cabinet meetings – time and place

The Cabinet will meet at least once a month, except during any approved recess period. The Cabinet shall meet at the Council’s main offices or at another location to be agreed by the Chief Executive in consultation with the Leader.

1.6 Access to Information

The Cabinet will observe those requirements of the Access to Information Procedure Rules in Part 4 of this Constitution.

1.7 Quorum

The quorum for a meeting of the Cabinet, or a committee of it, shall be the number of members determined by Article 7.02 of this Constitution.

1.8 Decision taking

- (a) Executive decisions which are the responsibility of the Cabinet as a whole will be taken at a meeting convened in accordance with the Access to Information Procedure Rules and conducted in accordance with the relevant Council Procedure Rules in Part 4 of this 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.