

Article 7 - The Cabinet

7.01 Role

The Cabinet will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution.

7.02 Form and composition

The Cabinet will consist of the Council Leader (who shall be the Chairman of the Cabinet) and the Council's Deputy Leader (who shall be Vice-Chairman of the Cabinet) together with at least 1, but not more than 8 other councillors as determined by the Leader.

7.03 Leader and Deputy Leader

The Leader will be a Councillor elected to the position of Leader by the Council at the post-election annual meeting or if there is a vacancy in the position of Leader of the Council, the Council shall, at its next meeting, elect a Leader of the Council. The Leader will hold office:

- (a) for a term of office which starts on the day of his/her election as Leader, and ends on the day of the post-election annual meeting which follows his/her election as Leader; or until
- (b) he or she resigns from the office; or
- (c) he or she is no longer a councillor; or
- (d) he or she is removed from office by resolution of the Council; or
- (e) he or she is otherwise disqualified by law.

The Leader shall appoint one of the members of the Cabinet to be the Council's Deputy Leader at the post-election annual meeting. The Deputy Leader shall hold office until:

- (a) the end of the term of the Leader; or
- (b) the Leader removes the Deputy Leader from office giving written notice of the removal to the Deputy Chief Executive; or
- (c) he or she resigns from the office; or
- (d) he or she is no longer a councillor; or
- (e) he or she is removed from office by resolution of the Council; or
- (f) he or she is otherwise disqualified by law

If for any reason there shall be a vacancy in the position of Deputy Leader, the Leader shall appoint another Deputy Leader from among the members of the Cabinet.

If for any reason the Leader is unable to act or the office of Leader is vacant, the Deputy Leader must act in his/her place.

If for any reason the Leader is unable to act or the office of Leader is vacant, and the Deputy Leader is unable to act, or the office of Deputy Leader is vacant the remaining members of the Cabinet must either act collectively in the Leader's place or they must arrange for a Cabinet member to act in the place of the Leader.

7.04 Other Cabinet members

Other Cabinet members will be Councillors, who shall hold office until:

- (a) they resign from office; or
- (b) they are no longer councillors; or
- (c) they are removed from office by the Leader, who must give written notice of the removal to the Deputy Chief Executive; or
- (d) they are otherwise disqualified by law.

7.05 Proceedings of the Cabinet

Proceedings of the Cabinet shall take place in accordance with the Cabinet Procedure Rules set out in Part 4 of this Constitution.

7.06 Responsibility for functions

The Leader will maintain a list in Part 3 of this Constitution setting out which individual members of the Cabinet, committees of the Cabinet, officers or joint arrangements are responsible for the exercise of particular executive functions.

7.07 Role of Leader of the Council

The details below are descriptive only and may be changed by the Leader in the light of experience; as far as legislation permits.

The following functions are allocated to the Leader of the Council:

The Leader will have overall responsibility at the political level for orchestrating work in relation to setting corporate priorities and strategic policy direction, and for the presentation of this work to the Council and the wider community. He or she will be its principal spokesperson on corporate and strategic issues. In this context, the Leader will:

- (i) appoint a Deputy Leader and members of the Cabinet and assign portfolios to them;
- (ii) determine the content of portfolios assigned to Cabinet Members;
- (iii) determine which matters shall be decided by the Cabinet collectively and which shall be delegated to Cabinet Members;
- (iv) discharge or arrange to be discharged the executive functions of the Council;

CONSTITUTION – PART 2 – ARTICLES OF THE CONSTITUTION

- (v) delegate the discharge of any executive functions within the remit of a portfolio of that Cabinet Member;
- (vi) delegate the discharge of executive functions to an officer of the Council;
- (vii) chair the Cabinet, guide its work, ensuring coherent direction and action and that, where relevant, proposals are made to the County Council for decision within appropriate timescales;
- (viii) work closely with other Cabinet members to ensure the development of effective policies, reflecting the principles of Best Value in services;
- (ix) lead the Cabinet work in:
 - developing corporate priorities and corporate policy direction, including the content of the County Council Financial and Business Plan;
 - monitoring performance and preparing an annual report on the performance achieved by the Council;
 - developing revenue budget and capital programme strategies;
 - ensuring probity and financial monitoring;
 - keeping under review the organisation and management processes of the Council, including the democratic structures;
 - developing, in consultation and partnership with others, a strategy for promoting the social, economic and environmental well-being of the county of East Sussex;
 - enhancing partnership working and public consultation and participation;
 - developing a public relations/corporate information strategy; and guide proposals through the County Council;
- (x) provide political guidance to the Chief Executive and Directors on the overall corporate priorities and objectives set by the County Council and ensure coherent action by the Council both internally and externally;
- (xi) share in the responsibilities of the Cabinet and have the responsibilities of an individual member of the Cabinet, with a specific portfolio of responsibilities;
- (xii) in consultation with the Head of Paid Service and the Monitoring Officer to draw up a four-month forward programme of Cabinet business and to keep it under review;
- (xiii) act as an ambassador for the County Council:
 - promoting its work and acting as its principal political spokesperson;
 - participating in consultation;

- listening to, and taking account of, the views of organisations, the public and businesses; and
- representing the County Council at all appropriate levels.

7.08 **Role of Cabinet Members**

The following functions are allocated to the Cabinet Members:

To support and work with the Leader and other members of the Cabinet to ensure coherent direction and action by the County Council, acting in accordance with Council decisions and, as part of that, to ensure that the Cabinet is informed of events, activities and proposals and involved in all decisions which should be taken collectively. In pursuance of this:

- (i) to play a leading role in the management of the County Council and decisions about the services it provides and how they are provided and thereby to make a significant contribution to making the County Council, in the view of those it serves, the best of local authorities;
- (ii) as part of (i) above, to participate with other members of the Cabinet in consideration of steps to: revitalise local democracy through increased public consultation and participation; ensure the creation of Best Value services; strengthen the County Council's ethical framework; and enhance, in partnership with others, the Council's community leadership role;
- (iii) to take a special interest in the activities of a specific department, an area of activity or a specific geographic area of the county, known as the Cabinet member's portfolio. This may involve taking a special interest in the development and monitoring of on-going objectives or short-term objectives to deal with particular issues;
- (iv) to provide political guidance to the Chief Executive and appropriate Director(s) on those activities in respect of which it has been agreed that the councillor should take a special interest, to advise the Cabinet on them and to steer policy developments or changes and other proposals for action requiring the approval of the County Council through the Council. In so doing, the councillor will have regard to the overall corporate priorities and objectives set by the County Council and the need for coherent action by the Council both internally and externally;
- (v) to exercise executive functions delegated to Cabinet members by the Leader as set out in Part 3 of the Constitution;
- (vi) in relation to the County Council's Financial and Business Plan, Cabinet members will:

CONSTITUTION – PART 2 – ARTICLES OF THE CONSTITUTION

- (a) agree corporate priorities and objectives for consideration by the County Council;
 - (b) monitor performance against the Plan;
 - (c) review annually the priorities and objectives in the Plan;
 - (d) prepare an annual report on the performance achieved by the County Council during the previous year;
- (vii) to participate with the other Cabinet members in:
- (a) settling guidance which should be given to the County Council on the way in which budgets should be prepared, overall budget priorities and the assumptions which should be made in preparing budgets, having regard to the County Council's overall corporate priorities and objectives as set out in the Plan: and to recommend to the Council an annual budget and a three-year rolling budget for planning purposes;
 - (b) developing a strategy for promoting the wellbeing of the county of East Sussex and a sense of direction for its communities;
 - (c) monitoring the organisation and management processes of the County Council to ensure that they continue to meet the needs of the County Council and those it serves and to advise the Council on any recommendations for change;
 - (d) agreeing a public relations/corporate information strategy and participate in its implementation;
- (viii) to encourage and participate in working with partners and other organisations involved in the provision of services which link with those provided by the County Council or which have an interest in or contribute to the well-being of the county or communities within it;
- (ix) to act as an ambassador for the County Council, promoting its work (particularly in those areas where the councillor has been designated to take a special interest) and participating in consultation, listening to, and taking account of, the views of organisations, the public and businesses;
- (x) to keep in touch with the views of councillors and take them into account in reaching decisions and, with other Cabinet members,

CONSTITUTION – PART 2 – ARTICLES OF THE CONSTITUTION

to consider how Cabinet thinking on strategy and policy issues can best be shared with councillors as it develops;

- (xi) to provide information to and appear before overview and scrutiny committees as requested by the committee;
- (xii) to fulfil the roles set out in paragraph 2.03 in Article 2 of the Constitution.