

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

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Section C1:- The Cabinet

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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 Growth Partnership Board
 - (h) Cheshire West and Chester Community Interest Company (Brio)
 - (i) Constellation Partnership
 - (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 Officer¹) 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

¹ "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 June 2017)

Corporate Services Portfolio

Officers: Gerald Meehan, Charlie Seward, Delyth Curtis, Mark Wynn, Vanessa Whiting, Karen McIlwaine Laurence Ainsworth, , and Ian Ashworth
Councillor Samantha Dixon, Leader of the Council

Health and Wellbeing Board

Public Services Reform

- Major Change Projects
- Service Redesign
- Corporate Strategy
- Central Government Relations
- Devolution

Council's Transformation Programme

External Partnerships

Communication

Adult Social Care Portfolio

Officers: Gavin Butler, Ian Ashworth and Alistair Jeffs
Councillor Paul Dolan

- Community Care
- Social Care teams
- Safeguarding
- Older People
- Younger Disabled People (Mental Health, Physical Health and Learning Disability)
- Social Care reform including Sector Led Improvement

- Workforce Development and Training – for Adult Social Care, Public Health and Children and Young people Services
 - Strategic Commissioning
 - Quality and Performance
 - Market Development
 - Contract Management
-

Culture and Wellbeing Portfolio

Officers: Alison Knight, John Outram, Ian Ashworth, Gavin Butler and Maria Byrne

Councillor Louise Gittins (Deputy Leader of the Council)

- Public Health
- Local Health Economy
- Health and Wellbeing
- Strategic Commissioning for Health and Public Health
- Leisure and Brio Contract
- Drug and Alcohol services
- Domestic Abuse Services
- Complex Needs
- Licensing Enforcement
- Licensing Processes

Culture

- Archives
- Arts
- Heritage, Conservation and Archaeology
- Libraries
- Museums
- Theatre

Communities

- Grounds Maintenance
- Countryside Sites and Green Spaces
- Green Infrastructure and Mersey Forest

Neighbourhood Locality Teams

- Chester
 - Ellesmere Port
 - Northwich and Winsford
 - Rural Life
-

Economic Development and Infrastructure

Officer: Alison Knight, Graham Pink, John Outram and Maria Byrne
Councillor Brian Clarke

Economic Development

- Business Growth and Economic Intelligence
- Development Planning
- Skills and Employment
- Regeneration Programmes
 - Chester
 - Ellesmere Port
 - Northwich & Winsford
 - Rural

Spatial Planning and Strategic Transport:

- Planning Policy,
 - Transport network Development,
 - Transport Planning and Policy
 - Building Control
-

Children and Young People Portfolio

Officers: Emma Taylor, Helen Brackenbury and Mark Parkinson
Councillor Nicole Meardon

Achievement

- Statutory
- School Improvement
- Early Years Services
- Special Educational Needs
- Quality Learning Partners (Traded School Services)

Integrated Early Support

- Children's Centres
- Family Support services for families with multiple and complex needs
- Education Welfare Service
- Young Peoples service – NEET
- Youth Services
- Community Safety -Anti-Social Behaviour Units, Community Safety Wardens, Public Space Protection Orders, Gating Orders
- Community Safety Partnership - Strategy and Action Plan

Safeguarding

- Contact Assessment and Referral Team/Emergency Duty Team
- Child Protection, Children in Need
- Looked after Children
- Locality Services
- Assessment and Care

Strategic Support

- School Support
- Support Services

Strategy and Commissioning

- Strategy
- Commissioning
- Workforce Development

Environment Portfolio

Officers: Maria Byrne, John Outram, Graham Pink and Alison Knight
Councillor Karen Shore

Climate Change

- Domestic Energy
- Energy and Carbon Reduction
- Climate Change and Sustainability

Environmental Services

- Cemeteries and Crematoria Maintenance
- Public Conveniences
- Streetscene Enforcement
- Streetscene Awareness – including: Respect Action Programme
- Streetscene - Commissioning/Strategy/Policy
- Streetscene Asset Management
- Waste Disposal
- Waste Education - Recycling/Strategy

Regulatory Services

- Animal Health & Welfare
- Car Park Management
- Cemeteries Management
- Crematorium Management
- Environmental Protection
- Environmental Health
- Parking Enforcement
- Registration

The Constitution

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- Trading Standards- including: Financial Investigations
- CCTV

Highways and Transportation (Strategic Transport and Highways)

- Bridges
 - Highways DC
 - Highway Design
 - Highways Laboratory and Geotechnical Unit
 - Highways Maintenance
 - Urban Traffic Control
Traffic Management
-

Democracy and Workforce

Officer Vanessa Whiting, Debbie Thompson and Alistair Jeffs
Councillor Paul Donovan

Democratic Services

- Member Support
- Democratic Services
- Scrutiny
- Electoral and Civic Services
- Member Development

Human Resources

- Human Resource Strategy
 - Health and Safety
 - Business Partner
 - Human Resource Services
 - Employee Service Centre
-

Legal and Finance Portfolio

Officers: Vanessa Whiting, Mark Wynn and Alison Knight
Councillor David Armstrong

Capital Delivery and Property

- Project Delivery
- Property Investment and Development
- Planned Maintenance
- Farms

Legal Services

- Corporate
- People Services
- Places
- Regulatory and Compliance
- Solutions Team

Finance

- Performance Management and Accounting
- Audit and Risk
- Corporate Finance
- Financial Management
- Revenues and Benefits
- Purchasing and Exchequer Services

ICT

- Strategy and Planning
- Information Management and Security
- Design and Project (Shared Services with Cheshire East)
- Service Provision (Shared Service with Cheshire East)

Procurement

- Procurement of Goods and Services
- Business Support

Housing Portfolio

Officer: Charlie Seward and Alison Knight
Councillor Angela Claydon

- Housing Policy and Strategy
- Housing Solutions
- Private Sector Housing including housing market reports
- Contract Management – Including: Ellesmere Port Housing Management Contract
- Homelessness, including hostels
- Choice based lettings
- New build council houses
- Gypsy and Traveller accommodation
- Empty homes
- Asylum seekers