

## **Cabinet – Membership, Terms of Reference and Allocation of Portfolios**

Report by John Blair, Director, Resources

### **1 Purpose of Report**

This report sets out the membership and terms of reference of the Cabinet and invites consideration of the portfolios to be allocated to each of its elected Members.

### **2 Membership**

On 23 May 2017, the Council:-

- (a) appointed Councillor Milligan as Leader of the Council and noted that in accordance with Standing Order 1.1, the Leader of the Council would be the Convener of the Cabinet;
- (b) appointed Councillor Muirhead as Depute Leader of the Council, and noted that in terms of Standing Order 1.1 the Depute Leader of the Council would be the Depute Convener of the Cabinet; and
- (c) agreed that the remaining Cabinet elected Members be Councillors Curran, Hackett and Imrie.

The Council also noted that when dealing with Education matters, the Cabinet's membership would require to be supplemented by the three statutory religious representatives required under Section 124 of the Local Government (Scotland) Act 1973. These are:-

- (i) Church of Scotland – Reverend Ruth Halley;
- (ii) Roman Catholic Church – Mr Victor Bourne and
- (iii) “Third Religious Representative” – Mr Martin Khan.

In general terms, Cabinet agendas will be structured so that any business requiring the attendance of the religious representatives will be clearly identified at the beginning of the relevant public or private sections.

### **3 Terms of Reference and Portfolios**

The Scheme of Administration (appended to Standing Orders), specifies that the Members of the Cabinet will each have a portfolio as determined by the Cabinet.

The terms of reference of the Cabinet as detailed within the Scheme of Administration, appended to Standing Orders are detailed below:

**Business** - The Cabinet shall be responsible for the following:-

“All matters not otherwise the responsibility of the Council itself or one of the other bodies included in this Scheme, including in particular:-

- (i) Developing and implementing operational policy within the Council’s approved budget and strategic policy framework.
- (ii) Making recommendations to the Council on major new policy proposals.
- (iii) Assuming collective responsibility for the co-ordination of corporate policies associated with the portfolios of the Members.
- (iv) Approving the Corporate Governance and Risk Management framework.
- (v) Liaising with the Performance Review and Scrutiny Committee.
- (vi) Liaising with the Corporate Management Team.
- (vii) Developing, through the Council’s community leadership role, community planning in Midlothian by working in partnership with relevant external organisations.
- (viii) Considering service delivery proposals following option appraisal of Best Value reviews. **(Note: Reports of this nature will be submitted to Council rather than Cabinet for the duration of the Business Transformation Programme.)**

At the discretion of the Chair, any Council Member may be invited to address the Cabinet on issues relating to their area.

Decisions of the Cabinet shall be subject to the “call-in” procedure described under the Performance Review and Scrutiny Committee.

**Meetings** - The Cabinet will normally meet on a six weekly cycle (subject to breaks for the summer recess, Christmas/New Year holidays and school holidays). The Council will decide on the schedule of meetings for the Cabinet, usually on a rolling basis which will be published.

**Quorum** – The quorum for meetings of the Cabinet will be 3 elected Cabinet Members.

**Minutes** –The Minutes of the Cabinet will be recorded by the Officer clerking the meeting and submitted to the next ordinary meeting of the Cabinet for approval. They will also be submitted to the Council both for information and to allow the Council to consider any recommendations contained in them. Meetings of the Cabinet will also be webcast subject to the exemptions contained within the Local Government (Scotland) Act 1973.”

## **4 Report Implications**

### **4.1 Resource Implications**

There are no resource implications arising directly from this report.

### **4.2 Risk Implications**

In accordance with the Scheme of Administration the Cabinet is to determine the portfolios of its elected Members. Failure to do so could impede the discharge of business.

### **4.3 Policy Implications**

#### **Strategy**

There are no strategy implications arising from this report

#### **Consultation**

No consultations have been undertaken in connection with this report.

#### **Equalities**

An equalities impact assessment has not been required in connection with this report.

#### **Sustainability**

There are no sustainability implications arising from this report.

## **5 Recommendations**

The Cabinet is invited to:-

- (a) note its membership and terms of reference; and
- (b) consider the portfolios to be allocated to each of its elected Members.

**25 May 2017**

**Report Contact: Name Gordon Aitken**

**Tel No 0131 271 3159**