

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

Report by John Blair, Director, Corporate 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 six elected Members.

### **2 Membership**

On 22 May 2012, the Council:-

- (a) appointed Councillor Beattie 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 Bryant as Deputy Leader of the Council, and noted that in terms of Standing Order 1.1 the Deputy Leader of the Council would be the Deputy Convener of the Cabinet; and
- (c) agreed that the remaining Cabinet elected Members be Councillors Thompson; Johnstone; Coventry; and de Vink.

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 – Mr Paul Hayes, 127 Deanburn, Penicuik, Midlothian EH26 0JA;
- (ii) Roman Catholic Church - Mr Victor H Bourne, 55 Newbattle Abbey Crescent, Dalkeith, Midlothian EH22 3LN; and
- (iii) “Third Religious Representative” – Vacancy being advertised.

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 terms of reference of the Cabinet are stated in the Scheme of Administration (appended to Standing Orders). An extract is attached.

At the meeting of the Council on 22 May 2012 the membership of the Cabinet was reduced from seven to six.

The Scheme of Administration specifies that the seven Members of the Cabinet will each have a portfolio as determined by the Cabinet.

The following portfolios were held by Cabinet Members prior to the elections:-

<b>Office</b>	<b>Councillor</b>	<b>Portfolio</b>
Convener	Cllr Milligan	Corporate Resources and Council Development and Improvement
Depute Convener	Cllr Boyes	Education and Communities
	Cllr Imrie	Strategic Services
	Cllr Aitchison	Social Work and Health
	Councillor Bennett	Best Value and Community Planning
	Cllr Chalmers	Commercial Services
	Cllr Muirhead	Housing and Community Safety

### **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 six 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 six elected Members.

**23 May 2012**

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**Background papers: File C 3.1**

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## **Terms of Reference of Cabinet**

**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 the revenue and capital budgets, including Council Tax levels, and associated policy framework.
- (iii) Making recommendations to the Council on major new policy proposals.
- (iv) Assuming collective responsibility for the co-ordination of corporate policies associated with the portfolios of the Members.
- (v) Approving the Corporate Governance and Risk Management framework.
- (vi) Liaising with the Performance Review and Scrutiny Committee.
- (vii) Liaising with the Corporate Management Team.
- (viii) Developing, through the Council's community leadership role, community planning in Midlothian by working in partnership with relevant external organisations.
- (ix) Considering service delivery proposals following option appraisal of Best Value reviews.

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 at paragraph 4.2 below.

**Meetings** - The Cabinet will normally meet monthly

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

**Minutes** – The Minutes of the Cabinet will be 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.