

Part 2 – Article 4 (The Leader, the Cabinet, members of the Cabinet, the Champions and Lead Members)

(a) The Leader

The Leader of the Council shall be appointed by the Full Council at its first meeting after an ordinary Council election and shall be the Leader of the Cabinet. The Leader will hold office until the day of the annual meeting following the next election after his/her appointment and remains a member of the Council until that date unless:

1. he/she resigns from the office; or
2. he/she is disqualified from being a County Councillor,
3. he/she is removed as Leader by resolution of the Full Council.

The Leader shall appoint/remove a Deputy Leader and up to eight other County Councillors who together will comprise the Cabinet of up to ten County Councillors.

The Leader may discharge any functions of the Cabinet himself/herself, or may arrange for them to be discharged by:

- the Cabinet collectively
- the Deputy Leader
- another Member of the Cabinet
- a Committee of the Cabinet
- the Chief Executive
- an Executive Director
- a specific officer or postholder

The extent of any delegation by the Leader in accordance with the above powers must be recorded in the Scheme of Delegation to Cabinet and Cabinet Members, or the Scheme of Delegation to Heads of Service, as appropriate and any amendments to the Schemes must be reported to the Full Council at its next scheduled meeting in accordance with Standing Order 32. Any delegation to any Committees of the Cabinet must be similarly reported.

In the event of the Leader being unable to discharge his/her duties as Leader due to absence, the Deputy Leader shall assume those duties until the Leader is able to resume his/her duties or the Full Council appoints a new Leader.

The Leader has agreed that executive (Key and Non-key) decisions, as set out at Appendix 'A' in this Constitution, will be considered and approved by Cabinet collectively. Where a decision is urgent and cannot await the next meeting of the Cabinet, the decision shall be taken by the Leader (or in

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his/her absence the Deputy Leader) and the relevant Cabinet Member, and shall be reported to the next available meeting of the Cabinet.

(b) The Cabinet

Role of the Cabinet

The Cabinet is primarily the engine for Community Leadership and the driving force for the continuous improvement in public services through Best Value. Through partnership working with other local and public authorities and interested parties the Cabinet is at the forefront of community planning, the promotion of economic, social and environmental wellbeing and cross-cutting initiatives, such as social inclusion, sustainability, health improvement/health equalities, equality and diversity, community cohesion, crime and disorder reduction strategies, E-Government, customer service centre and climate change.

The Cabinet is responsible for ensuring the carrying out, within the Budgetary and Policy Frameworks set by the Full Council, of the functions of the Council in delivering services to the community. Some functions however are required by law to be carried out by the Full Council, a Council Committee or a specific officer and cannot be carried out by the Cabinet.

When key decisions are to be made by the Cabinet, notice will be published at least 28 clear days before the date of the decision. However, it is not always possible to anticipate all key decisions in advance, and special arrangements apply in Standing Orders where a matter is urgent and the decision needs to be taken without the 28 days notice being given.

A key decision means an executive decision which is likely:

- (a) to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function which the decision relates; or
- (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the council.

For the purposes of paragraph (a), the threshold for "significant" is £1.5 million

Composition of the Cabinet

The Cabinet is made up of the Leader and Deputy Leader of the Council and up to eight County Councillors appointed by the Leader.

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Meetings of the Cabinet

The Cabinet generally meets at least once a month, and shall hold such other meetings as the Leader may consider necessary. Its proceedings shall be governed by Standing Orders 13 to 36.

Meetings are open to the public but they may be excluded where information of an exempt or confidential nature is being discussed – see Access to Information Rules set out at Appendix 'H' to this Constitution.

Functions of the Cabinet

The specific functions of the Cabinet are set out in Appendix 'A' to this Constitution.

(c) Cabinet Members

Only County Councillors may be appointed to the Cabinet. There may be no co-optees and no deputies or substitutes for Cabinet Members. Neither the Chair nor Vice-Chair of the Full Council may be appointed to the Cabinet and members of the Cabinet (including the Leader) may not be members of an Overview and Scrutiny Committee or of its task group or working group.

Cabinet Members shall hold office until:

1. they resign from office; or
2. they are suspended from being County Councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or
3. they are no longer County Councillors; or
4. they are removed from office by the Leader who must give written notice of any removal to the Proper Officer.

All Councillors in the Cabinet have specific areas of responsibility delegated to them by the Leader. The areas of responsibility are set out in the Scheme of Delegation to Cabinet Members (Appendix A)

Executive decisions will be considered and approved by Cabinet collectively. However, any urgent decisions which cannot await the next meeting of the Cabinet will be approved by the Leader (or in his/her absence the Deputy Leader) and the relevant Cabinet Member. All urgent decisions shall be taken in accordance with Standing Orders, Financial Regulations and Financial Regulations (Appendices 'C', 'D' and 'R' respectively).

(d) Champions

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The Cabinet has appointed County Councillors who are not a member of the Cabinet to serve as Champions for the following matters:

Champion for Older People:

To assist the Leader and appropriate Cabinet Members by advising on service issues across Service Areas which support and encourage active, independent and healthy lives for older people.

Champion for Young People:

To assist the Leader and appropriate Cabinet Members on efforts across Service Areas to provide high quality employment opportunities and apprenticeships for young people, and to encourage external organisations to do likewise.

Champion for Parishes:

To assist the Leader and appropriate Cabinet Members by advising on ways to sustain and improve effective working relationships between the Council and Parish and Town Councils in Lancashire.

Champion for Disabled People:

To assist the Leader and appropriate Cabinet Members by advising on service issues which support and encourage active, independent and healthy lives for disabled people and to raise the profile of disabled people and their needs in the development of policy across the Council.

Champion for Armed Forces and Veterans

To assist the Leader and appropriate Cabinet Members to work with the armed forces, and organisations that support ex-servicemen and women to work even more closely together and to ensure that veterans and their families get the support they deserve'

(e) Lead Member Responsibilities

The Leader of the Council has appointed the following lead members to support the work of individual cabinet members.

Lead Member for:

- Young People
- Health and Adult Services
- Highways and Transport
- Cultural Services
- HR and Property

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Whilst the lead members will not be able to take any decisions they will:

- lead on specific areas to be determined by the cabinet member;
- focus on information gathering and understanding key policy/service delivery areas;
- assist with the development of options and policies for consideration by the cabinet member;
- brief and make recommendations to cabinet members and others on the relevant issues that affect the decision making; and
- represent or deputise for the cabinet member as necessary