

## **Delegated Decisions by Individual Cabinet Members**

### **(1) Standing Delegation**

Each member of the Cabinet has a general authority to take decisions within her/his given portfolio, except in the following cases (which will fall to the full Cabinet):

- (a) formulation of recommendations to Council on the Budget and Policy Framework;
- (b) material departures from established policies, budget and programme;
- (c) decisions with major implications for more than one portfolio;
- (d) any matters which the portfolio holder wishes to remit to the full Cabinet;
- (e) any matters in which the portfolio holder has a prejudicial interest;
- (f) the regular financial, establishment and performance monitoring reports;
- (g) reports from scrutiny committees on the outcome of full scrutiny reviews;
- (h) recommendations from scrutiny committees following call-in of earlier decisions; and
- (i) any other matters at the request of any other member of the Cabinet.

In the event of a difference of view arising on what constitutes a “material departure” or “major implication”, the Leader of the Council will, if the question cannot be resolved by other means, determine whether or not reference should be made to the full Cabinet, taking account of the advice of the Head of Paid Service.

### **(2) Proceedings**

- (a) Any decision by a member of the Cabinet shall be subject to :
  - (i) the Council's and the Cabinet's policies, budget and programme;
  - (ii) the Access to Information Procedure Rules as they apply to the Cabinet (or, in the case of Rules 13-24, as applied by Rule 12.1);
  - (iii) the provisions of the Council Procedure Rules enabling members of the public to present petitions at meetings and to request the opportunity to address meetings on items on the agenda;
  - (iv) the provisions of Rule 3 of the Cabinet Procedure Rules (Questions by Members of the Council) as far as is practicable; and
  - (v) the provisions of the Protocol on Members' Rights to the extent specified in that Protocol.

- (b) Should a Cabinet Member not be able to be present to take decisions within her/his portfolio for which an agenda has already been published, the Leader or the Deputy Leader (or an alternative member of the Cabinet nominated by the Leader) shall be permitted to attend in her/his place. If, however, neither the Leader nor the Deputy Leader (nor any alternative Cabinet Member nominated by the Leader) can be present, the decision shall be made by the Cabinet at its next scheduled meeting unless the original Cabinet Member can be present to take a decision on a date which is before the next meeting of the Cabinet.