

## **Report to Overview and Scrutiny Committee**

**Date of meeting: 5 October 2006**



**Portfolio: Leader**

**Subject: Cabinet Quorum**

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### **Recommendations:**

**That a report be submitted to the Council recommending:**

**(a) that the procedure for protecting the Cabinet quorum set out in the Appendix to this report be approved; and**

**(b) that the procedure be published in the Council's Constitution.**

### **Report:**

1. On 24 April 2006 (Minute 95) the Council made a series of decisions regarding Cabinet membership. These decisions arose from a number of exceptional circumstances, which placed a Cabinet quorum at risk. This situation resulted from:
  - (a) the absence due to long term illness of one Cabinet member;
  - (b) the resignation of a Cabinet member in April 2006; and
  - (c) other Cabinet members being subject to re-election at the May 2006 elections.
2. The need for a Cabinet quorum was given added importance because in April/May 2006, the Cabinet was faced with urgent decisions on the future of the waste management contract.
3. The enclosed procedure is designed to deal with the following situations:
  - (a) where portfolio holders are, by reason of illness or other reason, unable to undertake their duties;
  - (b) where portfolio holders resign, either as Councillors or members of the Cabinet;
  - (c) where there is no quorum for the Cabinet after elections;

- (d) where the Cabinet is constituted from one political group, an alliance of political groups or, pro rata, from all political groups.
4. The procedure also establishes the procedures, which should be followed for filling Cabinet vacancies and the delegated authority for the Leader of the Council to take action and enable a Cabinet quorum in urgent circumstances.
  5. This procedure should be incorporated in the Council's Constitution and reported to the Overview and Scrutiny Committee and the Council for approval.
  6. We recommend as set out at the commencement of this report.