

# **The Executive - Leader and the Cabinet**

## **11.1 Role**

The executive will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution.

## **11.2 Form and composition**

The executive will consist of the Leader together with other councillors, the precise number of which is determined by the Leader but cannot be more than 10 including the Leader appointed to the Cabinet by the Leader.

## **11.3 Leader**

The Leader will be a councillor elected to the position of Leader by the Council. The Leader will hold office until:

- (a) he/she resigns from the office; or
- (b) he/she is suspended from being a councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or
- (c) he/she is no longer a councillor; or
- (d) he/she is removed from office by resolution of the Council.

The Leader of the Council will be elected at the Annual Council Meeting in the year of the City Council elections.

## **11.4 Other Cabinet members**

Other Cabinet members shall hold office until:

- (a) they resign from office; or
- (b) they are suspended from being councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or
- (c) they are no longer councillors; or
- (d) they are removed from office by the Leader who must give written notice of any removal to the proper officer.

### **11.5 Proceedings of the executive**

Proceedings of the executive shall take place in accordance with the Executive Procedure Rules and, so far as relevant, the Council Procedure Rules set out in Chapter 2 of this Constitution.

### **11.6 Responsibility for functions**

The Proper Officer will on behalf of the Leader maintain a list in this Constitution setting out which individual members of the Cabinet, committees of the Cabinet, officers or joint arrangements are responsible for the exercise of particular executive functions and of non-decision making Deputy Cabinet Members.

## THE CABINET

### 1. CONSTITUTION

The Leader and the other members of the Cabinet as appointed by her not exceeding 10 Members (including the Leader).

### 2. TERMS OF REFERENCE

Subject always to the budget and policy framework approved by the full Council; executive functions in relation to the following:

#### (1) POLICY PLANNING AND ADVICE

- (a) to approve, unless this function is being carried out by the Cabinet Member prior to submission to the full Council for adoption, or submission to the Secretary of State, the following Plans and Strategies: Annual Library Plan, Children and Young People's Strategic Plan, Programme for a Healthier Westminster, Community Strategy (the Westminster City Plan), Crime and Disorder Reduction Strategy, Early Years Development Plan, Education Development Plan, Local Development Framework, Youth Justice Plan and to make any proposals to full Council that are contrary to any of the above approved Plans and Strategies;
- (b) to keep under review the Council's objectives and to co-ordinate plans for their achievement;
- (c) within the framework approved by full Council to determine overall Council priorities for services and projects and to re-allocate financial and other resources therefore;
- (d) to require Cabinet Members to consider or to review the detailed application of service policies;
- (e) to consider all matters which, in the opinion of the Leader of the Council or the Chief Executive, involve questions of major policy or which requires co-ordination of decisions between Cabinet Members;
- (f) to advise Cabinet Members on such matters as have been referred by them for such advice or upon which the Cabinet considers they should have done;
- (g) To determine matters within the terms of reference of individual Cabinet Members where a dispute has arisen on the matter in question between the relevant Cabinet member and the Chairman of the relevant Policy and Scrutiny Committee;

- (h) To meet any other requirements incumbent on the Cabinet as set out in the Constitution.

(2) BUDGET PREPARATION AND FINANCIAL MANAGEMENT

- (a) within the framework approved by the full Council the overall control of the finances of the Council;
- (b) to consider and submit for approval annually a programme of capital expenditure and its revenue implications for the General Fund and the Housing Revenue Account for the succeeding five years and the capital estimates for the next financial year;
- (c) to indicate to Cabinet Members the limits within which revenue budgets - including the Housing Revenue Account, shall be framed for approval by the Council and to examine their individual revenue forecasts;
- (d) to recommend to the Council for approval the annual revenue and capital estimates and the Council Tax levied after making provision for contingencies and balances and taking into account any other factor that may affect the level of the Council Tax and the National Non Domestic Rate.
- (e) to take decisions on any supplementary estimates requests where the Cabinet Member for Finance, Corporate and Customer Services is minded to defer or refuse a request.
- (f) to recommend for approval any strategy or plan for the control of the Council's capital expenditure or borrowing.

(3) DEPARTMENTAL ORGANISATION

To have responsibility for the Departmental Organisation of the City Council.

## **THE LEADER (CABINET MEMBER)**

1. To provide leadership to the Cabinet in the delivery of City Policy, City for All and Corporate Strategy.
2. To chair the Cabinet meetings, appoint/dismiss other Cabinet members and the Deputy Leader and appoint/dismiss committees of the Cabinet with terms of reference.
3. To determine the terms of reference of the Cabinet, the Deputy Leader and other individual Cabinet Members.
4. To exercise any executive function not otherwise allocated to either the Cabinet or any other individual Cabinet Member, or to delegate such functions to another Cabinet Member, a committee of the Cabinet, or to an officer.
5. In the absence or unavailability of another Cabinet Member, or on written notice to the relevant Cabinet Member, the Leader may exercise any of that Cabinet Member's functions him or herself or arrange for the discharge of those functions by another Cabinet Member(s), a committee of the Cabinet, or an officer, including those functions of the full Cabinet.
6. To co-ordinate links with external bodies and agencies in which the City Council has an interest, including the Royal Parks Board, and to optimise the benefits of those arrangements, including those where the lead is with another Cabinet Member.
7. To have oversight of the Council's links with the local authority associations and to act as Lead Member on the Local Government Association and London Councils.
8. To have general oversight and responsibility for Government relations and public affairs in so far as they affect the Council's interests.
9. To be responsible for the Council's Policy, Performance and Communications directorate, including the delivery of the Strategy and Communications Plan, Cabinet Secretariat and Member Services, Committee and Governance Services, ceremonial and Lord Mayoral matters, the City Promotions, Events and Filming service, the Policy and Strategy service, the Communications service and Corporate Transformation.
10. To be responsible for the Council's People Services function, including all Human Resources and staffing matters. Corporate personnel, policy and management matters, including in particular:
  - grievance, grading and disciplinary appeals;
  - training, development and staff education;
  - health, safety and welfare;

- staff consultative and industrial relations arrangements;
  - recruitment and selection;
  - superannuation, pensions, compensations and gratuities.
11. To have responsibility for matters relating to Westco which require an executive decision of the Council.
  12. To be responsible for the Council's Equalities Policy.
  13. To refer matters for consideration by the Cabinet in accordance with paragraph 2(1)(e) of the Terms of Reference of the Cabinet.
  14. To appoint and determine the membership and terms of reference of any non-decision making Cabinet Working Parties.
  15. To be responsible for Emergency Planning including relationship with the Local Fire Authority including to have general oversight of the Council's civic contingency planning arrangements and security (this relates to requests from the Metropolitan Police Service, Cabinet Office, Government Security Services and third parties for action by the City Council, which are sought in response to security issues).
  16. To appoint and determine the terms of reference of any non-decision making Lead Members.
  17. To agree or confirm arrangements for the establishment of joint committees under Section 101 (5) of the Local Government Act 1972 in so far as the functions of any such joint committee are executive functions and to appoint Members thereto, save to the extent that the Leader delegates this function to another Cabinet Member or Cabinet Members.
  18. Partnerships not included in the Terms of Reference of any other Cabinet Member.
  19. To conduct the annual appraisal, including the setting of annual targets, of the Chief Executive and make an award in accordance with the Performance Related Pay Scheme currently in place, having regard to a report of the Director of People Services which shall include the views of the Council's External Adviser (if any) appointed for these purposes, the Deputy Leader of the Council, the Leader of the Opposition and such other Members or Officers as the Leader and/or the Director of People Services shall consider appropriate.

**WESTMINSTER CITY COUNCIL  
MEMBERS OF THE CABINET**

<b>Portfolio</b>	<b>Name</b>	<b>Ward</b>
Leader of the Council	Councillor Nickie Aiken	Warwick
Deputy Leader and Cabinet Member for Environment and City Management	Councillor Tim Mitchell	St James's
Cabinet Member for Family Services and Public Health	Councillor Heather Acton	Hyde Park
Cabinet Member for Finance, Property and Regeneration	Councillor Rachael Robathan	Knightsbridge and Belgravia
Cabinet Member for Housing Services	Councillor Andrew Smith	Lancaster Gate
Cabinet Member for Public Protection and Licensing	Councillor Ian Adams	Hyde Park
Cabinet Member for Place Shaping and Planning	Councillor Richard Beddoe	Bryanston and Dorset Square
Cabinet Member for Sports, Culture and Community	Councillor Iain Bott	Marylebone High Street
Cabinet Member for Customer Services and Digital	Councillor Paul Swaddle OBE	Regent's Park
Cabinet Member for Economic Development, Education and Skills	Councillor Timothy Barnes	West End

## DEPUTY CABINET MEMBERS

<b>Portfolio</b>	<b>Name</b>	<b>Ward</b>
Family Services and Public Health	Councillor Lorraine Dean	Little Venice
	Councillor Jim Glen	Warwick
Housing Services	Councillor Murad Gassanly	Churchill
Sports, Culture and Community	Councillor James Sepncer	Tachbrook
Place Shaping and Planning	Councillor Matthew Green	Little Venice
Public Protection and Licensing	Councillor Louise Hyams	St James's
Customer Services and Digital	Councillor Emily Payne	Bayswater
Finance, Property and Regeneration	Councillor Robert Rigby	Regent's Park
Environment, and City Management	Councillor Richard Elcho	Bayswater
Economic Development, Education and Skills	Councillor Jacqui Wilkinson	Warwick