

1.3.4 If for any reason the Leader and Deputy Leader are unable to act, or their offices are vacant, the remaining Cabinet Members may act collectively or appoint an interim Leader.

2. The Cabinet

2.1 The Cabinet will discharge all Cabinet functions (Executive functions). These are the functions which are not the responsibility of the Council, a Committee any other part of the Council.

2.2 The Cabinet also discharges those 'local choice' functions set out in Schedule 2 of the Local Authorities (Functions and Responsibilities (England) Regulations 2000 (as amended).

2.3 The Cabinet comprises the Leader and Deputy Leader along with no more than nine other Councillors appointed to the Cabinet by the Leader.

2.4 The term of office of a Cabinet Member will be the same as for the Leader unless the Cabinet Member:-
i. resigns from office; or
ii. is no longer a Councillor; or
iii. is removed from office, either individually or collectively, by decision of the Leader.

2.5 The portfolios of areas of responsibility of Cabinet Members (if any) for which they are delegated authority in accordance with the Cabinet Scheme of Delegation are allocated by the Leader.

2.6 The Cabinet is responsible for the preparation of the Council's Forward Plan and those functions reserved to it as set out in paragraph 5.4 below.

2.7 The Cabinet can establish executive committees, chaired by the relevant Portfolio Holder, to which the Cabinet can appoint non-voting advisory members; subject to the adoption by Cabinet of an executive committee protocol which all executive committees must adhere to.

2.8 The proceedings of the Cabinet, including those of any of its Sub-Committees, shall be accordance with the Cabinet Procedure Rules set out in in Part D Section 2 of this Constitution.

3. Cabinet Member Portfolio Holders and their Portfolios

3.1 The Cabinet comprises ~~eight~~ **seven** portfolio holders including the Leader and Deputy Leader. The Leader of the Council's largest opposition group is a Cabinet Member with voting rights but without portfolio.

3.2 The eight portfolios are: -
i. Strategy, Performance & Finance (held by the Leader)

- ii. Heritage, Culture and the Arts (held by the Deputy Leader)
- ~~iii. Climate Change~~
- ~~iv. iii Biodiversity and Environmental Services~~ **Climate and the Environment**
- v. iv Sustainable Economic Development
- vi. v Housing
- vii. vi Health, Wellbeing and Leisure
- viii. vii Public Protection and Community Relations

3.3 The functions which fall within the portfolios and for which the Leader has delegated responsibility and decision-making to the portfolio holders in accordance with the Cabinet Scheme of Delegation (below at paragraph 5) are set out below.

Portfolio for Strategy, Performance & Finance

- Development and implementation of the Council's Community Plan
- Representing the interests of the Council and the wider community on strategic partnerships such as the Economic Prosperity Committee, East Midlands Councils and East Midlands Combined Authority (once established)
- Budget strategy, budget setting and financial management
- Local taxation and housing benefits
- Assets/facilities management, including the Council's commercial property, compliance, acquisitions and disposals of Land, car parks and the Council's lorry park
- Commercialisation
- Internal and external communications and media relations
- Customer experience and insight
- Information and Communications Technology (ICT) including digitalisation
- Information Governance and Data Protection
- Building and maintaining positive relationships with and between elected Councillors and Officers

Portfolio for Heritage, Culture and the Arts

- Championing and promoting the arts, culture, and heritage
- Oversight of major projects relating to heritage and culture including membership of delivery boards where relevant
- Equality and diversity
- Maximising access to Newark and Sherwood's cultural and heritage facilities, with a particular focus on young people and specific communities
- Marketing and promotion of Newark and Sherwood as a visitor destination including Sherwood Forest
- Oversight of the Palace Theatre, National Civil War Centre & Newark Castle
- Arts development
- Developing opportunities to maximise the visitor offer linked to Sherwood Forest

~~Portfolio for Climate Change~~

- ~~• Oversight of delivery of the Climate Change action plan~~
- ~~• Energy generation, energy management and tackling fuel poverty~~
- ~~• Waste collection and recycling~~
- ~~• Fleet management and maintenance~~
- ~~• Air Quality~~

Portfolio for ~~Biodiversity and Environmental Services~~ **Climate and the Environment**

- Oversight of delivery of the Climate Change action plan
- Energy Generation, energy management and tackling fuel poverty
- Waste collection and recycling
- Fleet management and maintenance
- Air Quality
- Biodiversity and conservation
- Oversight of the Council's Tree Strategy, tree maintenance and tree planting programme
- Maintenance and enhancement of parks and open spaces, including oversight of the Council's Open Spaces Strategy
- Public engagement in relation to the natural environment
- ~~• Street cleansing~~
- ~~• Removal of graffiti and fly-tipping~~
- Land contamination

Portfolio for Sustainable Economic Development

- Planning Policy, Development Management and building control
- Oversight of the Council's Local Development Framework and associated plans
- Business liaison and support
- Upskilling the local community and developing links with schools, further and higher education
- Inward investment and the creation of new employment opportunities
- Regeneration and development of town centres
- Oversight of the Town's Fund, Levelling Up, Shared and Rural Prosperity funding programmes
- Transportation and major infra-structure improvements
- Built heritage

Portfolio for Housing

- Oversight of the Council's landlord functions, including housing repairs and investment, building safety, tenancy and estate management, planned maintenance and collecting rents and leasehold management

- Housing Strategy and oversight of the HRA Business Plan
- Rent and Service charge setting
- Council housebuilding
- Tenant engagement
- Provision of housing with care e.g., Gladstone House and The Broadleaves
- Housing Allocations and the Housing Register
- Homelessness and rough sleeping
- Oversight of Housing Revenue Account led regeneration schemes including Yorke Drive
- Protection of tenants in private housing sector e.g., HMO licensing
- Disabled Facilities Grants
- Empty properties
- Re-settlement

Portfolio for Health, Wellbeing and Leisure

- Tackling health inequalities and delivering health improvement through campaigns, programmes and targeted actions
- Lead member for Active4Today and Notts Health and Well-Being Board
- Sports provision and sports development, including playing pitch and facilities strategies
- Promoting and championing cycling and walking, and the development of plans to improve cycling and walking infrastructure
- Development and implementation of plans for future leisure centre provision
- Cemeteries and Crematoria – see joint arrangements Part C Section 3

Portfolio for Public Protection and Community Relations

- Tackling crime and anti-social behaviour
- CCTV
- Environmental Health
- Enviro-crime prevention and enforcement
- Emergency planning, business continuity and risk management
- Health and Safety
- Safeguarding
- ~~Cemeteries and Crematoria – see joint arrangements Part C Section 3~~
- Liaison with the voluntary sector, parish and town councils and oversight of grant aid
- Community events
- Community Centres
- Community Development and Community Engagement
- Street cleansing
- Removal of graffiti and fly-tipping

- 3.4 The Leader of the Council's largest opposition group is a Cabinet Member with voting rights but without portfolio. Their role is to provide leadership in the constructive challenge of the Council's policies and strategies and in the co-ordination of alternative policies, strategies and service delivery. They are the main political spokesperson for the Council's opposition.

4. Responsibility for Functions

4.1 Functions of the Cabinet (Executive Functions)

- 4.1.1 The Cabinet exercises those exercises those functions which are not Non-Executive functions or otherwise reserved to the Council.
- 4.1.2 The Council has determined that the Cabinet shall exercise those 'local choice' functions set out in Schedule 2 of the Local Authorities (Functions & Responsibilities (England) Regulations 2000 (as amended).
- 4.1.3 Functions of the Cabinet may be discharged by the Cabinet as a whole, a Cabinet Committee, an individual Cabinet Member, and individual Officer or a joint committee in accordance with the Cabinet Scheme of Delegation or the Officer Scheme of Delegation respectively.

5. The Cabinet Scheme of Delegation

5.1 Introduction

- 5.1.1 The Leader is responsible overall for the discharge of Cabinet functions and may discharge any such function themselves regardless of whether the given function has been delegated.
- 5.1.2 The Leader has the power to delegate the discharge of Cabinet functions to:-
- i. The Cabinet as a whole
 - ii. A Committee of the Cabinet
 - iii. An individual Cabinet Member
 - iv. An individual Officer
 - v. A Joint Committee

5.2 Functions Delegated to Cabinet Members (Portfolio Holders)

- 5.2.1 The Leader delegates to those Cabinet Members with portfolio the Cabinet functions which fall within their respective portfolio as set out at Part C Section 5 of this Constitution.
- 5.2.2 Cabinet Members with portfolio may take any decision in relation to their delegated functions including Key Decisions.