

**Individual Cabinet Member (ICM) decision making –  
Guidance for Cabinet and non-executive Members.**

1. In order to comply with current government guidance designed to delay the spread of the COVID 19 coronavirus, the Leader of the Council has delegated power to Individual Cabinet Members to make decisions in very limited circumstances, namely that it would harm the Council's or public's interests to wait until collective meetings of Cabinet are able to resume. The power will be used sparingly.
2. Individual Cabinet Members may decide any matter that would normally be determined by the Cabinet acting collectively subject to complying with all the following conditions:
  - a) decision to be taken is sufficiently urgent that it would prejudice the Council's and/or public's interests if it were not made; and
  - b) the decision to be taken falls within the Areas of Responsibility for that Cabinet Member as defined within the scheme of delegations; and
  - c) that the Cabinet Member has consulted with the following people
    - i. The Leader of the Council or Deputy Leader of the Council;
    - ii. any other Cabinet Member upon whose Areas of Responsibility the decision may impact;
    - iii. the Chief Executive and any relevant Chief or Statutory Officer.
3. Decisions will be taken by Individual Cabinet Members on the dates that Cabinet meetings would have been held (14.04.20; 12.05.20; 16.06.20; 14.07.20) However, they may be held on other dates where that is necessary.
4. 3 clear days before the decision is due to be made reports will be published on the Council's website under the heading "Individual Cabinet Member Reports for Decision" and will be emailed to all Members of the Council.
5. The facilitator/advisor to the appropriate Overview & Scrutiny Committee will contact the Chair of that Committee to proactively seek their views on the report at the same time that it is emailed to all Members of the Council.
6. Non-executive Members need to consider the proposed report before the date on which the Cabinet Member is due to make the decision. If a non-executive Member wishes to make representations about the proposed decision, those representations must be made in writing (in email form) and must be received by the Democratic Services Manager no later than the appointed time and date for the decision to be made.
7. The Democratic Services Manager will bring any representations made in time by the relevant Overview & Scrutiny Committee Chair, non-executive Members or members of the public to the attention of the Cabinet Member so that they may be taken into

account before making the decision.

8. Cabinet Members still need to consider whether they have an interest under the Councillors' Code of Conduct before taking a decision.
  - a. If the Cabinet Member has a personal interest it must be noted on the decision record and the decision can be taken by the Cabinet Member.
  - b. Where a Cabinet Member has a personal and prejudicial interest in a decision, then that decision will be taken by the Leader of the Council or the Deputy Leader of the Council instead, noting that if the Leader of the Council has a personal & prejudicial interest, then the decision will be taken by the Deputy Leader of the Council and vice versa.
9. The Democratic Services Manager will arrange a telecom with the Cabinet Member, the Chief Executive, the s.151 and Monitoring Officers and the relevant Chief Officer. The officers will advise the Cabinet Member and answer any questions.
10. When making a decision in accordance with this Scheme of Delegation, the relevant Cabinet Member shall:-
  - a. Take into consideration the advice of all relevant Council Officers and other Cabinet Members where appropriate, as well as any representations received from the Chair of the appropriate Overview & Scrutiny Committee, non-executive Members and/or members of the public (if any) in relation to the proposed decision;
  - b. Fully consider the report before making any decision;
  - c. Make a note in the form provided at the end of the report of
    - i. Any interest declared under the code of conduct
    - ii. The decision in respect of the report
  - d. The Cabinet member must then sign the form and return it to the Democratic Services Manager with a copy to the relevant Officer who prepared the report.
11. When considering the report, the Cabinet Member will be reminded that they have the full range of decisions open to them, without constraint. They will be able to accept the recommendations, reject the recommendation or defer the decision if they consider that more information is required. The Democratic Services Manager will then publish the Record of Decision on the website and circulate it to all Members of the Council.