

Article 7 – The Executive (The Cabinet)

The Role of the Executive

7.1 Role

The executive, which will be called the Cabinet, 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.

7.2 Form and composition

The Cabinet will consist of the Leader together with a minimum of 2 and a maximum of 9 Councillors (statutory limits) appointed to the Cabinet by the Leader.

7.3 Leader

The Leader will be a Councillor elected to the position of Leader by the Council. The Leader will hold office for the period determined by the Council on election of the Leader, unless:

- (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 at any time.

7.4 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 Chief Executive. The removal will take effect two working days after the receipt of the notice by the Chief Executive.

7.5 Deputy Leader

The Leader will appoint one of the Cabinet Members to act as Deputy Leader. The Deputy Leader will hold office until the end of the Leader's term of office unless:

- (a) he/she resigns from 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;
- (d) he/she is no longer a Cabinet Member;
- (e) he/she is removed from office by the Leader who must give written notice of any removal to the Chief Executive. The removal will take effect two working days after the receipt of the notice by the Chief Executive.

Where a vacancy occurs in the office of Deputy Leader, the Leader must appoint another person in his/her place.

If for any reason:

- (a) the Leader is unable to act; or
- (b) the office of elected Leader is vacant

the Deputy Leader will act in his/her place.

If for any reason:

- (a) the Leader is unable to act or the office is vacant; and
- (b) the Deputy Leader is unable to act or the office of Deputy Leader is vacant the Cabinet must act in the Leader's place, or arrange for a Cabinet Member to act in his/her place.

7.6 Proceedings of the Cabinet

Proceedings of the Cabinet shall take place in accordance with the Executive Procedure Rules set out in Part 4 of this Constitution.

7.7 Responsibility for functions

The Leader will maintain a list at Part 3 of this Constitution setting out how the Cabinet as a whole, individual Cabinet Members, committees of the Cabinet, officers, area committees or joint arrangements are responsible for the exercise of particular executive functions.

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