

ARTICLE 7 - THE EXECUTIVE

(S.11 and Schedule 1 para 2 Local Government Act 2000 and Constitutions Directions 2000 para 3(f))

LEADER AND DEPUTY LEADER WITH CABINET

7.01 Role

The Executive is the Council's major decision making body, although certain important but limited powers are reserved to Council and the Regulatory, Employment Standards and Planning Committees. The Executive's role is to provide effective strategic leadership to the Council and to ensure that the Council effectively discharges its legal responsibilities and role in the community.

7.02 Form and composition

The Executive will consist of an Executive Leader together with at least 2, but not more than 9, councillors appointed to the Executive by Council.

7.03 Leader and Deputy (known as Leader and Deputy Leader of the Council)

Such election will normally be on an annual basis but a new Leader may be appointed at any time on the occurrence of one or more of the events described at (a) to (e) below.

The Deputy Leader will deputise for the Leader in their absence.

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

- (a) they resign from the office;
- (b) they are suspended from being a councillor (although they may resume office at the end of the period of suspension);
- (c) they are no longer a councillor;
- (d) the expiry of the 12 month period of their service, save that the Council may remove the leader from office at an earlier date but only in the event of a change in political control of the Council. In which case the new office holder shall remain in post until the next Annual Council meeting following their appointment when the original 12 month period expires; or
- (e) they are removed from office at any time by the Council.

7.04 Other Executive members

- Only councillors may be appointed to the Executive;
- There cannot be co-optees and no deputies or substitutes for Executive members;
- Neither the Chairman nor Vice Chairman of the Council may be appointed to the Executive and members of the Executive (including the Leader) may not be members of an Overview and Scrutiny Committee; and
- Executive members (other than the Leader) will be appointed by the Council on the nomination of their political party.

Other Executive members shall hold office until any of the following occurs:

- (a) they resign from office;
- (b) they are suspended from being councillors (although they may resume office at the end of the period of suspension);
- (c) they are no longer a councillor;
- (d) the Annual Council meeting save that the Council may remove them from office, either individually or collectively, during the year but only in the event of a change in political control of the Council. In which case the Executive members shall remain in post until the next Annual Council meeting following their appointment when the original 12 month period expires;
- (e) they are removed from office at any time by the Council; or
- (f) they fail to attend any Executive meetings or if they are portfolio holders, fail to discharge any of the functions of a portfolio holder for six months without having obtained Council approval.

7.05 Portfolio Holders

The Council may appoint from among the Executive members,, Portfolio Holders who will act as spokespersons for the service areas and may be given delegated authority by the Council to take Executive decisions within these areas. The Current Portfolio Holder remit is set out in Part 7 as Part of the Management Structure.

7.06 Proceedings of the Executive

Proceedings of the Executive shall take place in accordance with the Executive Procedure Rules and the Council Procedure Rules (in part) and set out in Part 4 of this Constitution.

7.07 Responsibility for functions

The Monitoring Officer and/or Chief Executive will maintain a list in Part 3 of this Constitution setting out which individual members of the Executive, committees of the Executive, officers or joint arrangements are responsible for the exercise of particular Executive functions.