

# ARTICLE 7 - THE CABINET

[Statutory References: Sections 9C to 9DA and 9I to 9ID and Schedule A1 Local Government Act 2000 (as amended), Chapters 4, 14 and 15 DETR Guidance and Local Government and Public Involvement in Health Act 2007] and Localism Act 2011.

## 1. LEADER AND CABINET

### Role

- 1.1 The Cabinet will carry out all of the Council's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution.

### Form and Composition

- 1.2 The [Cabinet](#) will consist of the Leader plus a Deputy and up to eight additional Councillors, all appointed by the Leader.

### Leader

- 1.3 The Leader will be a Councillor elected to the position of Leader by the Council. The Leader will hold office until:
- (a) They resign from the office; or
  - (b) They are suspended or disqualified from being a Councillor under the Local Government Acts 1972 or 2000; or
  - (c) They are removed from office by resolution [simple majority] of the Council; or
  - (d) They are no longer a Councillor; or
  - (e) the day when the Council holds its first annual meeting after the Leader's normal day of retirement as a Councillor.

### Deputy Leader

- 1.4 The Leader will appoint one of the Members of the Cabinet to be the Deputy Leader.
- 1.5 The Deputy Leader will hold office until the end of term of office of the Leader, unless:
- (i) They cease to be a Member of the Authority;
  - (ii) They resign as Deputy Leader;
  - (iii) They are removed from office by the Leader
- 1.6 If for any reason the Leader is unable to act or the office of Leader is vacant, the Deputy Leader may act in his/her place in all non-statutory matters.
- 1.7 The Deputy Leader's tenure of office will commence immediately upon notification of the appointment by the Leader to the Chief Executive of the Council.

### Other Members of the Cabinet

- 1.8 The other Members of the Cabinet shall hold office until:

- they resign from office; or
- they are suspended or disqualified from being a Councillor under the Local Government Acts 1972 or 2000; or
- they are removed from office, either individually or collectively by the Leader (on receipt of appropriate notice from the Leader by the Proper Officer of the Council).
- they are no longer Councillors.

#### **Proceedings of the Cabinet**

- 1.9. The proceedings of the Cabinet shall take place in accordance with the Cabinet Procedure Rules set out in Part 4 of this Constitution.

#### **Responsibility for Functions**

- 1.10. A list and table "Responsibility for executive functions" in Part 3 of this Constitution sets out whether the Cabinet, Cabinet Sub-committees/Panels, or Officers are responsible for the exercise of particular executive functions.

#### **Lead Members -**

- 1.11 The Leader may appoint Lead Members to assist Cabinet Members in respect of a specified portfolio of matters.