

Article 7 – Leader and Cabinet

7.01 Role

The Leader 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. The Leader may make arrangements for the discharge of any of their functions by the Cabinet, an Individual Cabinet Member, a committee of the Cabinet or by an officer of the Council.

7.02 Form and Composition

The Cabinet shall consist of the Leader of the Council together with at least two, but not more than nine, Councillors.

7.03 Leader

The Leader of the Council will hold office until:

- (a) he/she resigns from the office; or
- (b) he/she is no longer a Councillor; or
- (c) the Council passes a simple majority resolution to remove him/her from the office.

In the event of the post of Leader of the Council becoming vacant for any of the reasons (a) to (c) above, the Council shall appoint another Member of the Council at the meeting at which the Leader is removed from office or at a subsequent meeting.

7.04 The Deputy Leader and other Cabinet Members

The Leader of the Council will appoint Cabinet Members and advise Council accordingly.

Cabinet Members must be Councillors.

The Leader must appoint one Cabinet Member to be Deputy Leader of Council and to exercise all the powers of the Leader in the absence of the Leader. The Deputy Leader shall hold office until:

- (a) he/she resigns from office; or
- (b) he/she is no longer a Councillor; or
- (c) he/she is removed from office by the Leader of the Council.

Cabinet Members shall hold office until:

- (a) they resign from office; or
- (b) they are no longer Councillors; or
- (c) they are removed from office by the Leader of the Council.

7.05 Proceedings of the Cabinet

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

7.06 Responsibility for Functions

The Leader of the Council will maintain a list in Part 3 of this Constitution setting out which individual Members of the Cabinet, Committees of the Cabinet, officers or joint arrangements are responsible for the exercise of particular Executive functions.

7.07 Transitional Arrangements

Leader of the Council

- (a) In the event that, after an election, the Leader does not command the majority of the members of the Council having regard to the known party affiliations of the newly elected Council, or if, at any point during the municipal year, the political balance on the Council changes, the Leader (or the Deputy Leader, if acting in the absence of the Leader) and Cabinet (if appointed) shall only exercise their powers with the agreement of the leader of the majority group (or the other group leaders if no one group has a majority) to ensure that no decision is taken that in the judgement of the leader of the majority group (or the other group leaders if no one group has a majority) does not command the support of the leaders representing the majority of the members of the Council.
- (b) These transitional arrangements shall apply until the Annual General Meeting in the case of a change in political balance following an election or until the next Ordinary Council meeting in the case of a change in political balance occurring for some other reason.
- (c) The exercise of delegated powers by officers of the Council will be subject to a similar limitation in this period.
- (d) Where a delegated power requires consultation with the Leader or Cabinet portfolio holder, the requirement will be extended to include the Leader or leaders of other groups (or their respective spokespersons, if identified).

Mayor

- (a) In the event that, after an election, the Mayor is no longer a Councillor, the he/she shall remain in office until the first Annual General Meeting following that election.