

# Constitution



## Part 2: Articles of the Constitution

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### Article 7: The Cabinet

#### 7.1 Role

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.

#### 7.2 Form and Composition

- I. The Cabinet will consist of the Leader appointed by the Council, together with a maximum of 9 other Councillors appointed to the Cabinet by the Leader.
- II. Cabinet Members may be allocated specific portfolios and may take executive decisions in accordance with the Scheme of Delegation set out in this Constitution as determined by the Leader of the Cabinet
- III. If any Cabinet Member is appointed exclusively as Council Business Manager and without portfolio, the Council Business Manager will be allowed to speak on any item as a full member of the Cabinet but will not vote in Cabinet meetings and will receive no special responsibility allowance
- IV. The appointment of individuals to the Cabinet and the number of, naming of, allocation of duties to and the allocation of individual portfolios within the Cabinet will rest solely with the Leader of the Cabinet.
- V. There may be no co-optees and no deputies or substitutes for members of the Executive, other in the case of family absence
- VI. The Leader may, in his or her absence, nominate a member of the executive to deputise in his or her role as Leader or Chair of the Cabinet.

#### 7.3 Leader and Cabinet Members' Term of Office

The Leader will be a Councillor elected to the position of Leader by the Council. The Leader will hold office subject to annual election by the Council, or until:

- he/she resigns from the office; or
- 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
- he/she is no longer a councillor; or

- he/she is removed from office by resolution of the Council

**Other Cabinet Members** shall hold office until:

- they are removed from office, either individually or collectively, by the Leader.
- they resign from office; or
- 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
- they are no longer councillors; or

**NB:** During any period when there are no members serving on the Executive, any functions which are the responsibility of the Executive shall be allocated to and discharged by the Head of Paid Service

## **7.4 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 and the Council's Standing Orders

## **7.5 Responsibility for Functions**

The Leader 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 Cabinet functions.

## **7.6 Terms of Reference**

The Terms of Reference of the Cabinet are set out in Part 3 of the Constitution.