

# SCHEDULE 1

## ARTICLE 7 - THE CABINET

### 7.1 Role

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

### 7.2 Composition

The Cabinet will consist of the Leader, a Deputy Leader and such number of Cabinet members (not less than 2 nor more than 9, such numbers to include the Deputy Leader) as the Leader may determine. ~~together with at least two, but not more than nine, Councillors appointed to the Cabinet by the Leader.~~ Within these limits, the exact size of the Cabinet will be decided by the Leader.

### 7.3 Leader and Cabinet Members

(1) The Leader will be a Councillor elected to the position of Leader by the Council at its annual meeting. The Leader shall hold office for a period of 4 years starting on the day of his/her election and ending on the day of the post-election annual meeting. ~~will hold office until:~~

(2) The Leader shall appoint a Deputy Leader and such other members of the Cabinet as he thinks fit (subject to paragraph 7.2 above).

(3) The Leader, Deputy Leader and Cabinet Members shall continue to hold office:

(a) (In the case of the Deputy Leader and Cabinet Members) at the discretion of the Leader.

(b) (In the case of the Leader) unless he is removed by a resolution of Full Council (and the Leader may not be removed from office except by such resolution):

(c) a. Unless they he/she resigns from the office; or

b. he/she is removed from office by resolution of the Council; or

(d) ~~e.~~ **Unless they are** ~~he/she is~~ suspended from being a Councillor under Part III of the Local Government Act 2000 (although they ~~he/she~~ may resume office at the end of the period of suspension); or

(e) ~~d.~~ **Unless they are** ~~he/she is~~ no longer a Councillor.

#### **7.4 Other Cabinet members** **Deputy Leader**

The Deputy Leader (or in his/her absence the remaining Cabinet **Members**) may act if the Leader is unable to act or if the post of the Leader is vacant.

~~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 proper officer. The removal will take effect two working days after receipt of the notice by the proper officer.~~

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

Proceedings of the Cabinet shall take place in accordance with the Cabinet Procedure Rules set out in Part 7 of this Constitution.

#### **7.6 Responsibility for functions**

All Cabinet decisions will be taken by the Cabinet acting collectively except:

a. when the Cabinet has made a decision in principle it may authorize the Leader or the Portfolio Holder with responsibility to finalise outstanding details in agreement with the appropriate Head of Service;

b. when a decision regarding a Cabinet function requires attention as a matter of such urgency that formal reporting to Cabinet is not possible, the Leader may take that decision in consultation with the

relevant Portfolio Holders, the Chief Executive, the Section 151 Officer and the Monitoring Officer;

- c. the Leader may request the Overview Board, the Scrutiny Board, the **Joint Overview and Scrutiny Board**, the Audit Board and the Performance Management Board to consider including issues within their work programme;
- d. when the Cabinet has arranged for a Cabinet function to be discharged by a Cabinet committee or an officer or by way of joint or local arrangements.

The Leader will maintain a List in Table 3 Part 3 of this Constitution (Scheme of Delegation) setting out which Cabinet committees, officers or joint or local arrangements are responsible for the exercise of particular Cabinet functions.