ARTICLE 7 - THE CABINET

7.01 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.

7.02 Form and Composition

The Cabinet will consist of the Leader together with at least 2, but not more than 9 councillors, one of whom will be the Deputy Leader.

The Leader will appoint his/her Deputy Leader and Cabinet and may make changes to these appointments at any time.

7.03 Leader

The Leader will be a councillor elected to the position by the Council for a one year term at the annual Council meeting. The Leader will hold office until:

(a) he or she resigns from office;

(b) he or she is disqualified from being a councillor by Section 85 of the Local Government Act 1972;

(c) he or she is no longer a councillor;

(d) he or she is removed from office by resolution of the Council at an earlier date. How a motion to remove the Leader from office will be dealt with by Council is set out in the Council Procedure Rules.

7.04 Other Cabinet Members

Other Cabinet members shall hold office until:

(a) they resign from office; or

(b) he or she is disqualified from being a councillor by Section 85 of the Local Government Act 1972; or

(c) they are no longer councillors; or

(d) they are removed from office, either individually or collectively, by the Leader.

The Deputy Leader will act in the absence or inability of the Leader to act.

7.05 The Deputy Leader

The Leader shall appoint a Deputy Leader. The Deputy Leader shall:

(a) hold office until the occurrence of any of the events set forth at paragraph 7.04;

(b) be a member of the Cabinet and will deputise for the Leader during his/her absence, or if the Leader leaves office, until the Council elects a new Leader;

(c) in the event of both the Leader and Deputy Leader being absent or otherwise unable to chair a Cabinet meeting, another Cabinet member shall be elected as Chair of that meeting. The normal rules on quorum shall apply.

7.06 Cabinet Support Members

Each Cabinet member may, by notification in writing to the Leader and to the Chief Executive, appoint a maximum of 2 councillors as Cabinet support members to support the Cabinet member in the discharge of his/her functions. Such Cabinet support members shall hold office until:

(a) they resign from office; or

(b) he or she is disqualified from being a councillor by Section 85 of the Local Government Act 1972; or

(c) they are no longer councillors; or

(d) they are removed from office, either individually or collectively, by notification in writing by the relevant Cabinet member to the Cabinet support member, the Leader and the Chief Executive.

Such Cabinet support members shall provide advice and support to the relevant Cabinet member, but cannot take any executive decision or action.

7.07 Proceedings of the Cabinet

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

7.08 Functions of the Cabinet

The functions and responsibilities of the Cabinet are set out in Part 3 to this Constitution.

7.09 Portfolios

(a) Each member of the Cabinet will be allocated a portfolio of responsibility of executive business by the Leader. The individual portfolios and the policy areas, key partnerships and service areas falling within it are as defined by the Leader and notified in writing to the Chief Executive and are as set out in Part 3 of this Constitution. The Leader shall have the power to vary the portfolios held by Cabinet members and shall determine which Cabinet member shall hold a lead role in respect of any cross cutting policy matter.

(b) **Shadow portfolio holders.** The opposition party shall nominate members as shadow portfolio holders for each of the Cabinet portfolios.

7.10 Responsibility for Functions

(a) The law vests all Executive responsibilities in the Leader of the Council who may choose to delegate them in any manner allowed by the law, namely to the Cabinet to decide collectively, to individual Cabinet members, to a Cabinet Committee comprising solely Cabinet members, to a Council officer or joint committee.

(b) At each annual Council meeting the Leader will inform Council of how he/she intends the Executive powers to be exercised over the ensuing municipal year, although he/she may alter these at any time. Such changes shall be reported to Council by the Leader at the earliest opportunity.

(c) The Monitoring Officer shall maintain a list in Part 3 of this Constitution setting out which individual Cabinet members, Cabinet Committees, officers or joint arrangements are responsible for the exercise of particular Executive functions.