

APPENDIX B

PROPOSED CHANGES TO ARTICLE 7 OF THE CONSTITUTION - THE CABINET

1. THE EXECUTIVE LEADER AND CABINET

- 1.1 The Executive Leader is responsible for the discharge of 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. The Executive Leader has arranged for the discharge of the executive functions by the Cabinet which, unless the Executive Leader otherwise directs will undertake those functions collectively or by delegation to a panel of the Cabinet or individual executive councillors as specified in Tables of Part 3 of this Constitution.

2. FORM AND COMPOSITION

- 2.1 The Cabinet will consist of the Executive Leader together with at least two, but not more than nine, Councillors appointed by the Executive Leader.

3. EXECUTIVE LEADER

- 3.1 The Executive Leader is a councillor and will be elected at an annual meeting of the Council for a four-year term and thereafter at the annual meeting when the Executive Leader's term of office comes to an end. The Executive Leader will hold office from the date of his/her election to that position until:-
- (a) the first annual meeting after the Executive Leader's normal day of retirement as a councillor;
 - (b) he/she resigns from the office; or
 - (c) he/she is no longer a Councillor; or
 - (d) he/she is removed from office by resolution of the Council.
 - (e) he/she is disqualified from being a councillor

4. DEPUTY EXECUTIVE LEADER

- 4.1 The Executive Leader shall appoint a councillor to be Deputy Executive Leader who shall be a member of the Cabinet. The Deputy Executive Leader will hold office from the date of his/her appointment to that position, until:-
- (a) the end of term of office of the Executive Leader;
 - (b) he/she resigns from the office; or

- (c) he/she is no longer a Councillor; or
- (d) he/she is removed from office by the Executive Leader.
- (e) he/she is disqualified from being a councillor

5. ASSISTANT DEPUTY EXECUTIVE LEADER

5.1 The Executive Leader may appoint a councillor to be Assistant Deputy Executive Leader who shall be a member of the Cabinet. This is a non-statutory post. The Assistant Deputy Executive Leader will hold office from the date of his/her appointment to that position, until:-

- (a) the end of term of office of the Executive Leader;
- (b) he/she resigns from the office; or
- (c) he/she is no longer a Councillor; or
- (d) he/she is removed from office by the Executive Leader;
- (e) he/she is disqualified from being a councillor.

6. OTHER CABINET MEMBERS

6.1 Other Councillors will be appointed to the Cabinet by the Executive Leader and will hold office until the day that -

- (a) they resign from office; or
- (b) they are no longer Councillors; or
- (c) they are removed from office, either individually or collectively, by the Executive Leader.
- (d) he/she is disqualified from being a councillor

7. ASSISTANT CABINET MEMBERS

7.1 The Cabinet may appoint Councillors to act as assistants to the Cabinet as the Cabinet considers reasonably necessary and appropriate. Their role will be to assist the Cabinet collectively in accordance with their detailed Role Description approved by the Cabinet on 21st June 2018.

7.2 Assistants to the Cabinet may not vote on any matters before the Cabinet, neither may they substitute for a Cabinet Member at a meeting of the Cabinet nor in any decision-making role.

8. CASUAL VACANCIES

- 8.1 Any vacancy in the position of the Executive Leader shall be filled by the Council at the meeting that the Executive Leader ceases to hold office or at a subsequent meeting. Any vacancy in the position of Deputy Executive Leader, **Assistant Deputy Executive Leader** or member of the Cabinet will be filled by the Executive Leader and reported to Council at the next meeting. The person(s) elected or appointed shall be subject to the term of office described in paragraphs 3 to 6 above.

9. PROCEEDINGS OF THE CABINET

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

10. RESPONSIBILITY FOR FUNCTIONS

- (a) The Executive Leader will maintain or arrange to be maintained a list in Part 3 of this Constitution setting out which individual members of the Cabinet, committees appointed by the Cabinet, officers or joint arrangements are responsible for the exercise of particular Cabinet functions.
- (b) If for any reason the Executive Leader is unable to act or that office is vacant, the Deputy Executive Leader will act in his/her place. If for any reason both the Executive Leader and Deputy Executive Leader are unable to act or those offices are vacant, the **Assistant Deputy Executive Leader will act in his/her place, but operating within what is legally permissible as the post is not a statutory role. If for any reason the Executive Leader, Deputy Executive Leader and Assistant Deputy Executive Leader are unable to act or those offices are vacant, the** Cabinet will act in place of the Executive Leader or will arrange for a member of the Cabinet to do so.