

PART 2. ARTICLE 7 - EXECUTIVE ARRANGEMENTS

1. Role

- 1.1 The Executive 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 the constitution.

2. Form and Composition

- 2.1 The Executive will consist of the Leader together with at least two, but not more than nine, councillors including a Deputy Leader appointed to the Executive by the Leader.

3. Leader

- 3.1 The Leader will be a councillor elected to the position of Leader by the Council. The Leader will hold office until the day of the first post-election annual meeting which follows his/her election as Leader unless:-

3.1.1 he/she resigns from the office or otherwise ceases to be a councillor before the next election; or

3.1.2 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

3.1.3 he/she is removed from office either by resolution of the Council in accordance with the Procedure Rules set out in **Part B5** of the constitution or in the event of a change in the overall political control of the Council.

4. Other Executive Members

- 4.1 Other Executive members must be members of the Council appointed to the Executive by the Leader. They hold office until the next election of all members of the Council unless:-

4.1.1 they resign from office; or

4.1.2 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

4.1.3 they are no longer councillors; or

4.1.4 they are removed from office by the Leader who must give written notice of any removal to the Monitoring Officer. The removal will take effect two working days after receipt of the notice by the Monitoring Officer.

5. Deputy Leader

5.1 The Leader will appoint a member of the Executive to the position of Deputy Leader. The Deputy Leader will hold office until the next election of all members of the Council unless:

5.1.1 he/she resigns from office; or

5.1.2 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

5.1.3 he/she is no longer councillor; or

5.1.4 he/she is removed from office by the Leader who must give written notice of any removal to the Monitoring Officer. The removal will take effect two working days after receipt of the notice by the Monitoring Officer.

5.2 The Deputy Leader shall act in place of the Leader if the Leader is absent or otherwise unable to carry out his/her duties. If the Leader no longer holds office, the Deputy Leader will carry out the role and duties of the Leader until such time as the Council elects a councillor to the position of Leader.

5.3 Where a vacancy exists in the office of Deputy Leader, the Leader must appoint another person in his/her place.

5.4 If for any reason:-

5.4.1 the Leader is unable to act or the office of Leader is vacant; and

5.4.2 the Deputy Leader is unable to act or the office of Deputy Leader is vacant

the Executive must act in the Leader's place or must arrange for a member of the Executive to act in his/her place.

6. Portfolios

6.1 The Leader shall have authority to determine the portfolio structure of the Executive, and to vary that structure from time to time.

- 6.2 The Leader shall allocate portfolios to individual members of the Executive and may vary that allocation at any time. The Leader shall also designate a member of the Executive as lead member for Children's Services under Section 19(1) of the Children Act 2004.
- 6.3 Any powers delegated by the Leader to individual portfolio holders, together with the limits of those powers, shall be documented in **Part C3** of the constitution.

7. Restriction on Membership

- 7.1 Neither the Chairman nor Vice-Chairman of the Council may be appointed to the Executive.
- 7.2 Members of the Executive (including the Leader) shall not be members of an overview and scrutiny committee.
- 7.3 There may be no co-optees and no substitutes for Executive members.

8. Proceedings of the Executive

- 8.1 Proceedings of the Executive shall take place in accordance with the Executive Procedure Rules set out in **Part C4**.

9. Description of Executive Arrangements

- 9.1 The following parts of the constitution constitute the executive arrangements:-

Part B1 – Functions of the full Council;

Part C - The Executive;

Part D - Overview and Scrutiny Committees;

Part G - Decision making and Access to Information Procedure Rules;

Part H3 – Scheme of Functions Delegated to Officers;

Part J – Partnership arrangements.