

ARTICLE 7 - THE CABINET

7.1 Role

7.1.2 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

7.2.1 The Cabinet will consist of the Leader of the Council together with at least 2, but not more than 9 Portfolio Holders.

7.3 Leader of the Council

7.3.1 The Leader of the Council will be a councillor elected to the position of Leader by the Council. The Leader will hold office for fixed term of 4 years or until –

- (i) he/she resigns from the office; or
- (ii) 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
- (iii) he/she is no longer a councillor; or
- (iv) he/she is removed from office by resolution of the Council.

7.3.2 In the event of any of the situations set out in clauses 7.3.1 (i) – (iv) above occurring, during the period before a new Leader is elected decisions which are the responsibility of the Leader and the Cabinet will be taken by the Chief Executive in consultation with -

- (i) the Leader of the Group with an overall majority of seats; or
- (ii) in the event of there being no Group with an overall majority of seats, with all Group Leaders.

7.4 Other Cabinet members

7.4.1 Cabinet Members shall be appointed by the Leader from among the councillors. Cabinet Members shall hold office until the commencement of the next following Annual Meeting of the Council unless or until –

- (i) they resign from office; or
- (ii) 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

- (iii) they are no longer councillors; or
- (iv) they are removed from office, either individually or collectively, by resolution of the Council.

7.5 Proceedings of the Cabinet

7.5.1 Proceedings of the Cabinet shall take place in accordance with the Cabinet Procedure Rules set out in Appendix 5 of this Constitution.

7.6 Responsibility for functions

7.6.1 The Cabinet will maintain a list in Appendices 8 and 18 of this Constitution setting out which officers or joint arrangements are responsible for the exercise of particular executive functions.

7.7 Terms of Reference of the Cabinet

7.7.1 The Cabinet will exercise the following functions -

- (i) To exercise all the executive functions of the Council except to the extent that they are reserved to the full Council, exercisable by other Committees or exercisable by the Chief Executive or other officers under delegated powers;
- (ii) To prepare for adoption by the Council the budget and the plans which fall within the policy framework;
- (iii) To make recommendations to the Council on matters reserved to the Council;
- (iv) To exercise the following “local choice” function -
 - Placing staff at the disposal of other authorities where the placement is in connection with functions exercised by the Council;
- (v) To establish appropriate arrangements for the delivery of cross-cutting/cross departmental functions.
- (vi) To receive reports and recommendations from the Scrutiny Committee and Select Committees.