

Article 7 – The Executive

The Role of the Executive

7.01 General

- (a) Executive functions will be exercised collectively unless the Leader directs otherwise in accordance with paragraph 7.03 below.
- (b) The Executive will carry out all the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this constitution.

7.02 Form and composition

- (a) The Executive is made up of the Leader of the Council and up to 9 other Members, he/she shall appoint.
- (b) The Executive members will be appointed by Council on nomination by the Leader.
- (c) No member of the Executive shall serve on any of the Council's Scrutiny Committees, the Audit and Governance Committee or the Scrutiny Programme Board

7.03 Leader

The Leader will be a councillor elected to the position of Leader by the Council.

The Leader's term of office starts on the day of his/her election to that office and ends on the day when the Council holds its first Annual Meeting after the Leader's normal day of retirement as a Councillor unless:

- (a) he/she resigns from the office; or
- (b) 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
- (c) he/she is no longer a councillor.
- (d) he/she is removed from office by resolution of the Council.

7.04 Removal of the Leader

Where the Council passes a resolution to remove the Leader, a new Executive leader will be elected:

- (a) at the meeting at which the Leader is removed from office; or
- (b) at a subsequent meeting of the Council.

7.05 Other Executive members

- (1) The Leader shall nominate the Executive members to be appointed by full Council.
- (2) Other Executive members shall hold office until the next Annual Meeting of the Council following their appointment unless:
 - (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 Chief Executive. The removal shall take effect immediately on receipt of the notice by the Chief Executive.

(3) Executive members will, on allocation by the Leader of the Council, assume roles as Portfolio Holder with specific responsibilities. These responsibilities will be listed in Part 3 (b) the Council's Constitution. For clarity, not all Executive members may be allocated a Portfolio holder responsibility by the Leader of the Council.

7.06 Deputy Leader

- (1) The Leader of the Council shall appoint one of the Executive members to be his/her Deputy Leader who is to hold office until the end of the term of office of the Leader.
- (2) Where a vacancy occurs in the office of Deputy Leader, the Leader must appoint another person in his/her place.
- (3) If for any reason the Executive Leader is unable to act, the Deputy Leader must act in his/her place.
- (4) The Deputy Leader shall hold office until:
 - (a) He/she resigns from office; or
 - (b) He/she is suspended from being a councillor under Part III of the Local Government Act 2000; or
 - (c) He/she is no longer a councillor; or
 - (d) The Council removes the Leader from office; or
 - (e) He/she is removed from office by the Leader who must give written notice of such removal to the Chief Executive. The removal from office shall take effect immediately on receipt of the notice by the Chief Executive.

7.07 Proceedings of the Executive

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

(Amended April 2023)

7.08 Responsibility for functions

The Leader will:

- (a) state the size of the Executive (maximum 10 members) and appoint Members to the Executive;
- (b) identify which individual Executive members and/or officers are to be responsible for the exercise of a particular Executive function; and
- (c) where the Leader identifies individual delegations to Executive members, then he must give written notice of such delegation to the Chief Executive who shall maintain and keep up to date a list of such delegation.
- (d) The Leader is also responsible for delegating Executive responsibilities to Committees carrying out Executive functions.