

**7.01 Role**

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 this Constitution.

**7.02 Form and Composition**

**The Executive will consist of between three and 10 Councillors and will include the Leader of the Council appointed by the Council. The other members of the Executive will be appointed by the Leader of the Council including a Deputy Leader. The Chairman and Vice Chairman of the Council shall not be members of the Executive.**

**7.03 Leader**

The Leader will be a Councillor elected to the position of Leader by the Council. The Leader will hold office until:

(a) he/she resigns from the office or as a Councillor; or

**(b) he/she is disqualified from being a Councillor;**

(c) the next Annual Council meeting after completing his/her term of office as a Councillor **or until such other date as the Council may specify**; and

(d) he/she is removed from office by resolution of the Council.

(e) if removed from office by virtue of any regulations made pursuant to the Local Government Act 2000 **or the Localism Act 2011 (NB the regulations referred to had not been made as at 3.13).**

**NB The person who is elected as Leader of the Council remains a member of the Council during the period that he or she is appointed as Leader of Council, except where the person ceases to be Councillor by virtue of resignation or disqualification.**

#### **7.04 Deputy Leader**

The Leader will appoint a Deputy Leader of the Council from among those Councillors appointed to the Executive. **The person appointed as Deputy Leader shall, unless they resign as Deputy Leader, hold office until the end of any term of office of the Leader of the Council specified by the Council.**

**The Deputy Leader may be removed from office by the Leader of the Council if the latter thinks fit and the Leader must then appoint another person to be Deputy Leader.**

#### **7.05 Deputy Leader – Powers to Act**

**If, for any reason, the Leader of Council is unable to act or that office is vacant, the Deputy Leader must act in the Leader of Council's place.**

#### **7.06 Leader and Deputy Leader Unable to Act**

**If, for any reason, the Leader of the Council is unable to act or the office of Leader is vacant and 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 the Leader's place.**

#### **7.05 Other Executive Members**

Other executive members shall hold office until:

(a) they resign from office or as a Councillor; or

**(b) they are disqualified as Councillors;**

(c) until the next Annual Council meeting **but may be re-appointed the Leader of the Council for further terms of office;** and

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

#### **7.06 Portfolio Holder Assistants**

The Leader of the Council shall also, at his or her discretion, appoint Portfolio Holder Assistants on an annual basis in accordance with the Executive Procedure Rules contained in the Constitution.

#### **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.

### **7.08 Responsibility for Functions**

The Leader will maintain a list in Part 3 of this Constitution setting out which individual members of the Executive, committees of the Executive, officers or joint arrangements are responsible for the exercise of particular Executive functions.

**Any function which is the responsibility of the Executive may not be discharged by the Council.**

### **7.09 Portfolio Holder Advisory Groups**

For the purposes of carrying out any Executive function any member of the Executive may convene a Portfolio Holder Advisory Group. Details of the arrangements for such groups are set out in the Appendix to this Article.

### **7.10 Executive Committees**

The Leader of the Council may appoint, from time to time, Committees of the Executive comprising solely members of the Cabinet. The membership and terms of reference are set out in Part 3 of this Constitution (Responsibility for Functions).