

EXECUTIVE PROCEDURE RULES – APPENDIX TO RULE 1.8 (QUORUM)

1. In the event that, for any reason, the Proper Officer perceives that there will not be quorum as a result of Cabinet membership being depleted for any of the reasons set out below:

(a) leave of absence approved by the Council under Section 85 of the Local Government Act 1972;

(b) suspension or partial suspension as a result of an adjudication by the Standards Board for England or the Epping Forest District Standards Committee;

(c) resignation as a Councillor or as a Cabinet member;

(d) ceasing to be a Councillor as a result of an election, by retiring from office or becoming otherwise disqualified; and

(e) by death in office

the Leader of the Council (or the Deputy Leader if absent) will be informed as soon as possible after this becomes apparent.

2. The Proper Officer shall also place an item on the agenda for the next available Cabinet meeting to:

(a) report on the vacancies which have occurred or are likely to occur;

(b) seek decisions from the Cabinet on arrangements for covering the vacant portfolios to be recommended to the Council on:

(i) any portfolios which will be covered by other Cabinet members either on a temporary basis or for the remainder of the Council year concerned; or

(ii) the need to appoint new portfolio holders to those vacancies, the actual appointment being reserved to the Council.

3. The Cabinet shall have delegated authority to make temporary appointments under 2(b)(i) and (ii) above until such time that the Council can make formal appointments.

4. The Leader of the Council (or Deputy Leader if absent) shall have delegated authority to make temporary appointments under 2(b)(i) and (ii) above until the next available Cabinet meeting considers the matter, if it is considered, after consulting the proper officer, that there is an urgent need to secure a quorum.

5. Exercise of Delegation by the Cabinet or the Leader of the Council

5.1 In the exercise of delegated authority under 3 and 4 above, the Cabinet or the Leader of the Council will:

(a) if Cabinet seats are held by a single political group, allocate portfolios only to councillors from that group;

(b) if Cabinet seats are allocated to an alliance of two or more parties forming a Council Administration, allocate vacant seats only to councillors from those groups

and the Leader of the Council shall be required to consult the Leaders of those other groups in advance on the appointments being made;

(c) if Cabinet seats are allocated between all political groups entitled to places under pro rata rules, fill vacancies on the nomination of the political group which held the vacant seat(s), unless all political groups agree on an alternative arrangement which achieves pro rata requirements.

N.B. Executive Rule 1.8 in the Constitution will be amended to refer to this Appendix.