

# **Article 6 – The Leader of the Council**

## **6.1 Role**

The Leader will hold office for a four year period starting on the day of his election as Leader at the Annual Council meeting, unless his term of office as a councillor is shorter, in which case the term of office as Leader will be the same as his term of office as a councillor. The Leader's period of office will cease at an earlier date if:

- (a) he resigns from the office; or
- (b) he is suspended from being a councillor under Part III of the Local Government Act 2000 (although he may resume office at the end of the period of suspension); or
- (c) he is no longer a councillor; or
- (d) he is removed from office by resolution of the Council.

If there is a vacancy in the position of Leader, the Leader will be elected at the first meeting of the Council following such a vacancy for a term of office of four years, starting on the day of his election as Leader, unless his term of office as a councillor is shorter, in which case the term of office as Leader will be the same as his term of office as a councillor, subject to (a) to (d) above.

Where the Leader is replaced during his term of office, then the new Leader takes office for the remainder of the original term i.e. until the day of the Annual Council Meeting following the next whole Council Borough elections.

The Leader will carry out all the local authority's functions which are not the responsibility of any other part of the Council, whether by law or under this Constitution, unless otherwise delegated by him. All delegations by the Leader will be set out in Part 3 of this Constitution.

## **6.2 Functions of the Leader**

The Monitoring Officer shall be responsible for maintaining a list, (on the Leader's behalf), in Part 3 of this Constitution, which sets out who will exercise executive functions. Executive functions can be exercised by the Leader, the Cabinet, individual Cabinet members or staff. Any changes to Part 3 of the Constitution in relation to executive functions will be notified to all councillors.

Only the Leader will exercise the following functions:

- (a) appointment of the Deputy Leader
- (b) appointment of the Cabinet
- (c) allocation of portfolio responsibilities
- (d) preparation of the Leader's Cabinet forward plan

The Leader will chair meetings of the Cabinet.

### **6.3 Deputy Leader**

The Deputy Leader will be a councillor appointed to the position by the Leader. The Deputy Leader will hold office until the end of the term of office of the Leader, or until:

- (a) he is removed from office by decision of the Leader; or
- (b) he resigns from the office; or
- (c) he 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
- (d) he is no longer a councillor.

If, for any reason, the Leader is unable to act, or the office of the Leader is vacant, the Deputy Leader must act in his place.

If, for any reason, the Leader is unable to act, or the office of the Leader is vacant, and the Deputy Leader is unable to act or the office of Deputy Leader is vacant, the remaining Cabinet members must either act collectively in the Leader's place or they must arrange for a Cabinet member to act in the place of the Leader.

### **6.4 Role of the Deputy Leader**

- (a) The Deputy Leader will chair meetings of the Cabinet in the absence of the Leader.
- (b) The Deputy Leader will exercise all functions reserved to the Leader in his absence.