

SECTION 6 – THE LEADER

Election

- 6.1 The Leader will be elected by Full Council in accordance with Rule 4.40 and will have authority to delegate the functions of the Leader to one or more deputies selected from the Cabinet.
- 6.2 The Leader will usually be elected. However, where the post of Leader becomes vacant between Council elections the Leader will be elected at the next meeting of the Full Council.

Term of Office

- 6.3 The Leader is appointed for a term of 4 years or for such other period as is prescribed from time to time in legislation or until s/he leaves office pursuant to Rules 6.4 to 6.7.

Resignation, Dismissal, Disqualification and Suspension

- 6.4 The Leader may resign the position of Leader by writing to the Chair of Council.
- 6.5 The Leader can be dismissed where the Council passes a resolution removing him/her from office in accordance with the Rule 4.40.
- 6.6 The Leader shall cease to be Leader if s/he is suspended or disqualified as a Councillor, or, for other such reasons, cannot fulfil the role of Leader.
- 6.7 The Leader will cease to be Leader upon death or upon being incapacitated which will, or is likely to, prevent him / her from undertaking the role of Leader for a period of ~~three~~six months or more (“Incapacitation”).

Functions and Delegated Authority

Membership of the Cabinet

- 6.8 The Leader appoints and dismisses the Members of the Cabinet subject only to there being a minimum of two, and a maximum of nine.

Role of the Leader

- 6.9 The Leader will chair meetings of the Cabinet and determine the portfolios of Members of the Cabinet.

The Executive Scheme of Delegations

- 6.10 The Leader will delegate Executive Functions in accordance with Rule 5.9. (NB: No Member of the Cabinet may have a Deputy, other than the Leader).

Meetings of the Cabinet

- 6.11 Subject to the requirement to publish notice of each meeting three clear days before it takes place, the Leader can call meetings of the Cabinet at such times and places as s/he chooses (NB: the Head of Paid Service, the Section 151 Officer, the Monitoring Officer and three members of the Cabinet acting collectively can also call meetings of the Cabinet).

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Chairing Cabinet Meetings

6.12 The Leader shall chair Cabinet meetings. In the Leader's absence a Deputy Leader will chair the Cabinet, and in the absence of the Leader and Deputy Leader(s) the Cabinet will appoint a Member of the Cabinet to Chair the meeting.

Appointments of Representatives on Outside Bodies

6.13 The Leader has authority to appoint representatives of the Council on outside bodies where those outside bodies relate to Executive Functions of the Council.

Deputy Leader(s)

6.14 The Leader ~~may~~ **should / must** appoint one or more Cabinet Members to act as Deputy Leader. The Deputy Leader(s) may exercise the functions of the Leader in the event of the resignation, death or Incapacitation¹ of the Leader. In the event of resignation, death or Incapacitation of the Leader for a period of more than 6 months, the Deputy Leader(s) may exercise the functions of the Leader until a Council meeting is held to elect a new Leader, (such Council meeting to be held as soon as reasonably practicable).

6.15 In the event that the Leader appoints more than one Deputy Leader those Deputy Leaders must decide which of them is to exercise the functions of the Leader in the event of the resignation, death or Incapacitation of the Leader, and the decision must be notified to the Monitoring Officer in writing within 24 hours of the date of the resignation, death or Incapacitation of the Leader. Such written notification to the Monitoring Officer must be signed by a majority of the Deputy Leaders or by both Deputy Leaders in the event that only 2 Deputy Leaders are appointed.

6.16 In the event that a Deputy Leader resigns his / her post as Deputy Leader. Such resignation does not mean that the Member resigns as a Cabinet Member.

6.17 In the event of the death or Incapacitation of the Leader in circumstances where the Leader has not appointed a Deputy Leader, the Cabinet will appoint one of its members to act as Chair of Cabinet meetings until such time as a Council meeting takes place to elect a new Leader.

¹ "Incapacitation" is defined in Rule 6.7