

Article 7 - The Cabinet (Executive)

1 Role

The executive (known as the Cabinet in the City and County of Swansea) 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.

2 Form and Composition

Subject to the Job Sharing arrangements set out below the Cabinet will consist of the Leader together with 9 Councillors appointed to the Cabinet by the Leader.

Any election or appointment to the Cabinet (including the Leader) may include the election of two or more Councillors to share office (provided that the number of Cabinet members does not exceed 13, where at least three of the members have been appointed to share office).

The members of the Cabinet who share the same office will have one vote between them in respect of any matter on which they have a right to vote because they are a member of the Cabinet.

Where any meeting is attended by more than one of the members who share the same office and those members are attending in their capacity as a member of the Cabinet, they together count only as one person for the purpose of determining whether the meeting is quorate.

3 Leader of the Council

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

- 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; or
- d) He/she is removed from Office by resolution of more than half of all Council serving Members of the Council. The removal will take effect two working days after receipt of the notice by the Proper Officer.

4 Deputy Leader

The Leader will appoint a Deputy Leader (up to a maximum of 2) to act as Leader in the Leader's absence and may also if he/she thinks fit remove the Deputy Leader from Office at any time.

The Deputy Leader may exercise all the functions of the Leader where the position is vacant or where the Leader is absent or otherwise unable to act.

5 Other Cabinet Members

Only Councillors may be appointed to the Cabinet. Neither the Presiding Member nor Deputy Presiding Member may be appointed to the Cabinet and Members of the Cabinet (including the Leader) may not be Members of an Overview & Scrutiny Board.

Other Cabinet Members shall hold Office until:

- 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 Proper Officer. The removal will take effect two working days after receipt of the notice by the Proper Officer

6 Assistants to the Cabinet

The Leader may appoint no more than 5 Councillors to act as Assistants to the Cabinet as he/she considers reasonably necessary and appropriate. Neither the Presiding Member or deputy Presiding Member may be an Assistant to the Cabinet. Assistants to the Cabinet are not members of Cabinet or a committee of the Cabinet but they may not vote on any matter before the Cabinet. They cannot substitute for a Cabinet Member or count towards quorum and must perform their roles in accordance with the provisions set out in the Cabinet Procedure Rules in Part 4 of the Constitution.

The Leader can remove a member from the role of Assistant to the Cabinet at any time and can either appoint a new member to the role or leave the role vacant as he/she wishes.

The Leader must inform the Monitoring Officer and the Head of Democratic Services in writing of any appointments which he/she makes of an Assistant to the Cabinet and also if he/she has removed a Member from the role of Assistant to the Cabinet.

The role of the Assistant to the Cabinet will be:

- a) To assist the Cabinet and undertake any work requested by the Leader.
- b) To present reports to Cabinet in the absence of the Cabinet member or with the agreement of the Leader.

7 Proceedings of the Cabinet

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

8 Responsibility for Functions

The Leader will maintain a list in **Part 3** of this Constitution, which will be reported to the Council meeting for information, setting out which individual members of

the Cabinet, Committees of the Cabinet, officers or joint arrangements are responsible for the exercise of particular executive functions.

9 Member Champions

The Leader may appoint Member Champions for specific areas of the Council's business in order to assist the Leader and appropriate portfolio holders by advising on service issues across all Directorates.