

ARTICLE 5 – THE LEADER, CABINET and OTHER BODIES

5.1 LEADER OF THE COUNCIL AND CABINET

(a) Role of the Leader

The council will appoint the leader. The leader will carry out all of the local authority's executive functions which are not the responsibility of any other part of the local authority, whether by law or under this constitution.

(b) Form and Composition of the Cabinet

The leader will be responsible for the appointment of a cabinet consisting of the leader together with not less than 2 nor more than 9 other councillors. The leader may change the appointments to the cabinet at any time.

(c) Portfolios

The leader will allocate to each member of the cabinet responsibility for a particular portfolio. The portfolios and the role of portfolio holders are set out in part 2 of this constitution. The number and terms of reference of portfolios may be changed by the leader from time to time.

5.2 OVERVIEW AND SCRUTINY COMMITTEES

(a) Terms of Reference

The council will appoint at least one overview and scrutiny committee. If more than one overview and scrutiny committee is appointed, then collectively the overview and scrutiny committees will cover all the functions of the council. The membership of any overview and scrutiny committee shall not include any member of the cabinet. The council may from time to time change the number and/or terms of reference of the overview and scrutiny committee(s) it appoints.

(b) General Role

The terms of reference and role of the overview and scrutiny committee(s) are set out in part 2 of this constitution. In summary, their role is to:

- i. assist the council and the leader and/or cabinet in the development of its budget and policy framework by considering policy issues;
- ii. review and/or scrutinise decisions made, or actions taken in connection with the discharge of any of the council's functions; and
- iii. exercise the right to call-in decisions made but not yet implemented by the leader, cabinet, portfolio holders, local members exercising executive functions and officers making key executive decisions.

5.3 THE AUDIT AND STANDARDS COMMITTEE

(a) Composition

The council will appoint an Audit and Standards Committee, which will be composed of six councillors and up to four other persons (the independent members) who are not councillors or officers of the council or any other body prescribed by regulations. The independent members will be entitled to vote at meetings.

The council will appoint the independent members following interview by a panel made up of no more than three members of the Audit & Standards Committee (which for these purposes may include the Independent Chair). Appointments will be ratified by full council.

(b) Role and Function

The role and functions of the Audit and Standards Committee are set out in detail in part 2 of this constitution. In summary, these relate to:

- i. promoting and maintaining high standards of conduct by councillors, co-opted members and church/parent governor representatives;
- ii. monitoring the operation of and advising the council on the adoption or revision of the Members' Code of Conduct;
- iii. granting dispensations to councillors, co-opted members and church/parent governor representatives from requirements relating to interests set out in the Members' Code of Conduct;
- iv. supervision of politically restricted posts;
- v. oversight of internal and external audit matters, the council's arrangements for corporate governance and risk management; and
- vi. oversight of other arrangements for the maintenance of probity allocated from time to time by the council.

5.4 REGULATORY COMMITTEE

(a) Composition

The full council will appoint a Regulatory Committee. The seats on the committee shall be allocated proportionally to the representation of political groups and individual members on the council.

(b) Role

The responsibilities of the Regulatory Committee are set out in part 2 of this constitution. This committee deals primarily with planning applications, licensing and arrangements for various types of appeals and appointments to outside bodies. The council may change its responsibilities from time to time.

5.5 OTHER COMMITTEES

The council or the leader or the cabinet may from time to time establish such other committees as it sees fit.

The composition and responsibilities of any other committees are set out in part 2 of this constitution.