

Article 7- The Shadow Executive Committee

1 Role of the Shadow Executive Committee

- 1.1 The Shadow Executive Committee will carry out all of the Shadow council's duties and responsibilities which are not the responsibility of any other part of the Shadow council, whether by law or under this Constitution, and in particular it will carry out the those duties and responsibilities of the Shadow Executive Committee which are contained in the 2018 Order.
- 1.2 The Shadow Executive Committee will also exercise the functions of the Shadow council that must delegated to it by the full Shadow council under Article 37 of the 2018 Order.
- 1.3 The Shadow Executive Committee shall be responsible for making recommendations to the Shadow council on the setting of a budget for the Dorset Council and will have the opportunity to express a view to the Shadow council on the appointment of Senior Officers prior to any such appointment being confirmed.

2 Composition of the Shadow Executive Committee

- 2.1 The 2018 Order provides that the Shadow Executive Committee is to consist of (a) ten persons nominated by Dorset County Council, each of whom is for the time being a member of that Council for an electoral division other than a Christchurch electoral division, and (b) two persons nominated by each of the District/Borough Councils, each of whom is for the time being a member of the nominating Council.
- 2.2 The Chairman and Vice-Chairman of ther Shadow Executive Committee will be elected by the Shadow Executive Committee at its first meeting. The Chairman will be the Leader of the Shadow council and the Vice-Chairman will be the Deputy Leader of the Shadow council.
- 2.3 Where a Shadow Executive Committee Member, other than the Leader or Deputy Leader, ceases to hold office, the Leader will reassign the relevant portfolio within the remaining Shadow Executive Committee membership from the date of cessation to the date of the next Shadow Executive Committee meeting. Where the Leader and Deputy Leader hold portfolio responsibilities and either cease to hold their office then the Leader or the Deputy Leader, as the case may be, shall reassign the relevant portfolio.
- 2.4 No deputy or substitution arrangements are allowed in respect of the Shadow Executive Committee. The Chairman and Vice Chairman of the Shadow council cannot be appointed to the Shadow Executive Committee.

3 The Leader and Deputy Leader

- 3.1 The Leader and Deputy Leader will hold office until:
 - (a) he/she resigns from the office of Leader or Deputy Leader (as the case may be);
 - (b) he/she becomes ineligible to be a Shadow Councillor for a specific period or indefinitely;

- (c) he/she ceases to be a Shadow Councillor; or
- (d) he/she is removed from office by a resolution of the Shadow Executive Committee.

- 3.2 Where there is a vacancy in the office of Leader, the Deputy Leader shall assume the responsibilities of the Leader until the next meeting of the Shadow Executive Committee, whether that be an Ordinary or Extraordinary meeting of the body.
- 3.3 Where both the Leader and the Deputy Leader cease to hold office at the same time, the Interim/Appointed Head of Paid Service shall call a meeting of the Shadow Executive Committee as soon as possible for the purpose of electing a new Leader and Deputy Leader.

4 Other Shadow Executive Committee Members

- 4.1 Other members of the Shadow Executive Committee shall hold office until any of the events listed in paragraph 3.1 above for ending the term of office of the Leader apply to them collectively or individually as Shadow Executive Committee Members.

5 Proceedings of the Shadow Executive Committee

- 5.1 All proceedings of the Shadow Executive Committee and its Committees shall be conducted in accordance with the Shadow Executive Committee Procedure Rules set out in this Constitution.

6 Responsibility for Functions

- 6.1 The Leader can exercise any executive power. Alternatively, the Leader may arrange for the discharge of any executive functions by: the Shadow Executive Committee; another member of the Shadow Executive Committee; a committee of the Shadow Executive Committee; or an officer of the Shadow council.
- 6.2 If the Leader is unavailable, absent or there is a vacancy in the post of the Leader, the Deputy Leader can exercise any executive power.
- 6.3 Unless the Shadow Executive Committee requests the Shadow council to discharge any function in accordance with Article 37 of the 2018 Order, the Shadow Executive Committee can exercise any function of the Shadow council conferred on the Shadow council by or under the 2018 Order save to the extent any provision of any Act, the 2018 Order or regulations under section 9D or 9DA of the Local Government Act 2000 require otherwise.
- 6.4 Any Member of the Shadow Executive who has been allocated a portfolio by the Leader ("Portfolio Holder") can exercise any executive power that falls within that portfolio, the scope of which the Leader will determine. The Leader may amend or revise those portfolios at any time.
- 6.5 The Leader and Deputy Leader may have a portfolio responsibility
- 6.6 The Leader, Deputy Leader, Shadow Executive Committee and any Portfolio Holder can delegate powers to the extent as provided for in Part 1A of the Local Government Act 2000. The arrangements set out in this Constitution reflect those

currently agreed. Further, the Shadow Executive Committee can also delegate its powers to any Officer of the Shadow council, Dorset County Council and/or a District Council as defined in the 2018 Order.

- 6.7 The Leader will ensure that a record is kept of the Shadow Executive Committee functions which are the responsibility of each Portfolio Holder, any committee or sub-committee of the Shadow Executive Committee, or officers or under any joint arrangements.
- 6.8 Where a delegation arrangement is made under paragraph 6.7 above, it shall not preclude the body or person delegating the function, or part of it, from exercising that function on giving notice in writing to that body or person.