

Chapter 7 - Removing the Executive Leader and Members of the Executive

- 7.1 The Executive Leader and members of the Executive of the Council will be elected by the Council and hold office for a period of two years and can only be removed during their periods of office by resolution of Council in the circumstances set out below.
- 7.2 Council may only consider removing the Executive Leader and Executive Members: -
- a) on a motion of which notice has been given as in paragraphs 7.6 to 7.8 below, or
 - b) in the circumstances described in paragraphs 7.9 to 7.11 below.
- 7.3 When voting on a motion to remove the Executive Leader or other Members of the Executive, a quorum of the Council shall be at least three-quarters of the total number of Members of Council.
- 7.4 A Council resolution to remove the Executive Leader shall not have the effect of removing the Deputy Executive Leader and other Members of the Executive. Those Members shall continue in those roles pending decisions by the newly elected Executive Leader under paragraph 7.12 below.
- 7.5 If Council resolves to remove the Executive Leader or other Member of the Executive, it shall elect a new Executive Leader or Member of the Executive, as the case may be, at the same Council meeting as its next item of business.

Notice of motion to remove Executive Leader or Executive Member

- 7.6 Notice of a motion to remove the Executive Leader or other Executive Member shall be: -
- a) given in writing;
 - b) signed by at least one half of the total number of Council members;
 - c) received by the Chief Executive Officer at the Civic Offices, Civic Way, Fareham, Hampshire; and
 - d) state why the signatories consider the Executive Leader or other Executive Member should be removed.
- 7.7 If the Chief Executive Officer receives the notice of motion less than 15 but not less than 5 clear working days before the next programmed Council meeting, the motion shall be considered at that Council meeting.
- 7.8 If the notice of motion is received by the Chief Executive Officer 15 or more clear working days before the next programmed Council meeting, the Chief Executive Officer shall, within 5 working days of receiving the notice, summon a special Council meeting for the purpose of considering the motion. Unless required by law, no other business shall be conducted at that meeting, other than election of a new Executive

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Leader, or Executive Member, as the case may be, if the motion succeeds. The special meeting shall take place within 10 working days of the summons.

Change of Political Balance

7.9 Paragraphs 7.10 to 7.11 apply if: -

- a) the Executive Leader and Executive members are members of the majority political Group ("the Executive Leader's political group") represented on the Council; and
- b) that political group loses its overall majority on the Council more than 15 working days before the Annual Council Meeting (or, in the year of an election of Councillors, more than 15 working days before the date of the election).

7.10 If a programmed meeting of the Council is due to take place within less than 15 clear working days after the date on which the Executive Leader's political group loses its overall majority, the election of the Executive Leader and Executive Members shall be the first item of business, after any business required to be dealt with by statute, at that Council meeting.

7.11 If a programmed meeting of Council is not due to take place less than 15 clear working days after the date on which the Executive Leader's political group loses its overall majority, the Chief Executive Officer shall, within 5 working days of the day on which the Executive Leader's political group loses its overall majority, summon a special Council meeting for the purpose of electing an Executive Leader and Executive Members. The special meeting shall take place within 10 working days of the date of the summons.

Duties of a newly elected Executive Leader

7.12 A new Executive Leader elected under these provisions shall, within 5 working days of his or her election: -

- a) appoint a Deputy Executive Leader
- b) ensure that areas of responsibility are allocated by the Executive to each member of the Executive; and
- c) inform the Chief Executive Officer of the names of the Deputy Executive Leader and the areas of responsibility of Members of the Executive.

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