
STATUTORY INSTRUMENTS

2001 No. 2237

The Local Authorities (Executive and Alternative Arrangements) (Modification of Enactments and Other Provisions) (England) Order 2001

Members of the executive

46.—(1) Where a member of an executive of a local authority ceases to be a councillor, in the case of a mayor and cabinet executive or leader and cabinet executive, he shall at the same time cease to be a member of the executive.

(2) Where a councillor is appointed by an elected mayor as a member of a mayor and cabinet executive—

- (a) subject to sub-paragraph (b), unless the councillor resigns as a member of the executive or ceases to be a councillor, he shall hold office until the end of the term of office of the elected mayor;
- (b) the elected mayor may, if he thinks fit, remove him from office.

(3) Where a councillor is appointed by an executive leader as a member of a leader and cabinet executive—

- (a) subject to sub-paragraph (b), unless the councillor resigns as a member of the executive or ceases to be a councillor, if the end of the term of office of the executive leader is provided for in executive arrangements, the councillor shall hold office until the end of that term;
- (b) the executive leader may, if he thinks fit, remove him from office.

(4) Where, under the executive arrangements of a leader and cabinet executive, the authority determine the number of councillors who may be appointed to the executive under section 11(3)(b) of the Local Government Act 2000⁽¹⁾, and the executive leader appoints the councillors to the executive, the executive leader shall—

- (a) appoint to the executive the number of councillors so determined; and
- (b) where a councillor ceases to be a member of the executive before the end of the term of office of the executive leader, appoint another councillor to the executive to replace him.

⁽¹⁾ See paragraph 2(3)(a) of Schedule 1 to the Local Government Act 2000.