# PART 2 – ARTICLES OF THE CONSTITUTION

## ARTICLE 2 – MEMBERS OF THE COUNCIL

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## 1. COMPOSITION AND ELIGIBILITY

### (a) Composition

The Council will comprise 31 Members, otherwise called Councillors. One or more Councillors will be elected by the voters of each ward in accordance with a scheme drawn up the Electoral Commission and approved by the Secretary of State. Councillors' details, including their wards, and membership of committees are shown in Part 6 of this Constitution.

### (b) Eligibility

Only registered voters of the District, those living or working there, or those that occupy as tenant or owner land or property in the District will be eligible to hold the office of Councillor.

## 2. ELECTION AND TERMS OF COUNCILLORS

2.1 The regular election of District Councillors will generally be held on the first Thursday in May every four years (2019, 2023, etc.). The term of office of Councillors, subject to them making a declaration of office, will start on the fourth day after their election and will finish on the fourth day after the date of the next regular election.

# PART 2 – ARTICLES OF THE CONSTITUTION

## 3. ROLES AND FUNCTIONS OF ALL COUNCILLORS

### (a) Key roles

**All Councillors will:**

(i) Collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions.

(ii) Contribute to the good governance of the District and actively encourage community participation and involvement in the decision-making process.

(iii) Effectively represent the interests of the Council and their ward as community leaders.

(iv) Respond to constituents' enquiries and representations, fairly and impartially and assist in the resolution of concerns and grievances.

(v) Contribute to the governance and effective management of the Council's business at meetings of the Council and other committees.

### (b) Rights and duties

(i) Councillors will have rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.

(ii) Councillors will not make public information which is confidential or exempt without the consent of the Monitoring Officer or divulge information given in confidence to anyone other than a Councillor or Officer entitled to know it. For these purposes, "confidential" and "exempt" information are defined in the Access to Information Procedure Rules in Part 4 of this Constitution.

### (c) Training

Councillors will avail themselves of the opportunities provided for training so that they may vote at meetings of Planning Committees, and also participate in other quasi-judicial hearings e.g. employment, disciplinary and conduct matters, Public Licensing.

## 4. CONDUCT

(i) Councillors will maintain the highest standards of conduct and ethics.

(ii) Councillors will at all times observe the Codes of Conduct and Protocols set out in Part 5 of this Constitution.

## 5. ALLOWANCES

5.1 Councillors will be entitled to receive allowances in accordance with the Members' Allowances Scheme which is published on the Council's website.

## 6. POLITICAL GROUPS

### (a) Application

As required by law the Members of the Council are to be treated as divided into different political groups when there is at least one political group constituted in accordance with paragraph (b) below.

### (b) Constitution

(i) A political group shall be treated as constituted when there is delivered to the Director of Legal and Governance a notice in writing which:

a) is signed by two or more members of the Council who wish to be treated as a political group; and

b) complies with the provisions of paragraph (iii).

(ii) A political group shall cease to be constituted if the number of persons who are to be treated as members of that group is less than two.

(iii) A notice under paragraph (i) shall state:

a) that the Members of the Council who have signed it wish to be treated as a political group;

b) the name of the group;

c) the name of one member of the group who has signed the notice and who is to act as its leader.

(iv) A notice under paragraph (i) may specify the name of one other member of the group who has signed the notice and who is authorised to act in the place of the leader of that group.

(v) The Local Government (Committees and Political Groups) Regulations 1990 as amended applies and its provisions are supplemental to this Article.

## 7. LEADER AND DEPUTY LEADER OF THE COUNCIL, AND LEADER OF THE OPPOSITION

7.1 The Leader is the Council's political head, being the leader of the largest political group on the Council as notified annually to the Director of Legal and Governance under the Local Government and Housing Act 1989. Prior to each annual meeting, this person will be recognised as 'Leader-designate of the Council'. If there is no single largest political group the Programmes, Performance and Governance Manager is entitled for the purposes of these arrangements to regard the Leader of whichever of the equal largest groups which was previously the larger as Leader-designate of the Council until the Council by resolution determines otherwise.

7.2 At each annual meeting the Council is asked to ratify that person as the Leader of the Council. If it does not do so it must elect a Leader. The Council will also appoint annually a Deputy Leader who will deputise for the Leader. While under governance arrangements adopted by the Council the Leader

has no executive or delegated powers as such, the Leader is in a position of influence and works closely with the Chief Executive.

7.3 The Leader of the Council will also have the following roles:

- Provide a focal point for political leadership and strategic direction for the Council.
- Represent the interests of the Council.
- Ensure effective decision making including working with all political groups to seek to achieve, where possible, cross party co-operation.
- Be the key political contact for outside organisations (including Central Government, Local Authority Associations and Council partners) and internally for the Council's Management Team.
- Be the representative of the Council, for example, in its dealings with Central Government, other local authorities etc. and positively promote the Council within the media.
- Promote the long-term financial, business and economic stability of the Council.

7.4 The Deputy Leader will assist the Leader generally in the conduct of the role and will deputise when the Leader is unable to act or is unavailable. If the office of the Leader of the Council becomes vacant for any reason, the Deputy Leader shall temporarily assume the responsibility of Leader until the next or subsequent ordinary meeting of the Council when the process for either ratifying or electing the Leader as described above will apply.

7.5 The Leader of the second largest political group on the Council shall be recognised as the Opposition Leader. If there is more than one group of equal size which are each the second largest on the Council, then the Leaders of all such groups shall be recognised as Opposition Leaders.

7.6 For all the above arrangements, the term 'political group' shall have the meaning as in the Local Government and Housing Act 1989.

## 8. CHAIRPERSON AND VICE-CHAIRPERSON OF COMMITTEES

### (a) Chairperson and Vice-Chairperson of Committees

The Council shall appoint at each Annual Meeting of the Council the Chairperson and Vice- Chairperson of all the Council's Committees.

The role of the Chairperson (and in their absence, the Vice-Chairperson) is as follows:

- Ensure effective conduct of committee meetings.
- Maintain a good understanding of the nature of the business of the Committee and key issues within its remit.

- Act as a Council spokesman as appropriate on matters within the Committee's remit, including responding to questions at Council meetings relating to the business and functions of the committee, media enquiries etc.
- Maintain good communication with other Chairpersons and officers to ensure the co-ordination and efficient management of all committee activity.
- Represent the Council in connection with matters within the committee's remit, for example other local authorities etc. and positively promote the Council within the media.

The Chairperson and Vice-Chairperson shall remain in office until the Annual Meeting following their appointment unless they resign or are removed by decision of the Council.

The Chairperson of Committees shall assume the role as 'Lead Member' for issues within their committees' remit.

**(b) Procedure for Appointments**

Appointments to the positions of Chairperson and Vice- Chairperson of Committees shall be conducted in accordance with the Council and Committee Procedure Rules 16(f) in Part 4 of this Constitution.