

## ARTICLE 2 - MEMBERS OF THE COUNCIL

### 1. Composition and eligibility

- (a) **Composition** The Council will comprise 58 members otherwise called councillors. One or more councillors will be elected by the voters of each ward in accordance with a scheme drawn up by the Local Government Commission for England and approved by the Secretary of State;
- (b) **Eligibility** Any person over 18 who meets the eligibility requirements under Section 79 of the Local Government Act 1972 may stand for election as a Councillor;
- (c) **Chairman and Vice-Chairman** It is expected that the person appointed by the Council as Vice-Chairman of the Council shall normally be elected as the Chairman of the Council for the following Council year;

### 2. Election and Terms of Office for Councillors

Ordinary elections of the whole Council were held in 2002. Elections of a third (or as near as may be) of all Councillors are held on the first Thursday in May in each year and commenced in 2003 except that in 2005 and every following fourth year there will be no regular election. The terms of office of Councillors will be four years starting on the fourth day after being elected and finishing on the fourth day after the date of the regular election four years later.

### 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) represent their communities and bring their views into the Council's decision-making process, i.e. become the advocate of and for their communities;
  - (iii) develop effective systems for communication, liaison and consultation with the local community and individuals within it;
  - (iv) assist constituents with matters concerning services provided by the Council;
  - (v) act as the Council's appointees on outside bodies to ensure that the needs of the community are considered and to provide links with the Council;
  - (vi) maintain, develop and build upon good relationships between political and managerial processes;
  - (vii) provide a point of contact to media on appropriate ward issues to provide a clear well-informed response as required;
  - (viii) provide the link with the officers on constituency matters;

(ix) participate in Overview and Scrutiny and other Boards, Panels and Committees as appointed and be eligible for appointment by the Council to the Executive; and

(x) maintain the highest standards of conduct and ethics.

**(b) Rights and Duties**

(i) Councillors will have such 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 Council or divulge information given in confidence to anyone other than a councillor or officer entitled to know it.

(iii) For these purposes, "confidential" and "exempt" information are defined in Article 17 (Access to Information).

**4. Conduct**

Councillors will at all times observe the Members' Code of Conduct set out in this Constitution.

**5. Members' Charter**

The Members' Charter, setting out a range of undertakings between the Council and its members, is attached as an Appendix to Article 2.

**6. Allowances**

Councillors will be entitled to receive allowances in accordance with the Members' Allowances Scheme set out in this Constitution.

## APPENDIX

### MEMBERS' CHARTER

1. Epping Forest District Council hereby undertakes for all members of the Council:
  - (a) to provide information on a timely basis about the Council which is available under the law and to which members are entitled;
  - (b) to have the right to attend meetings of the Cabinet, committees, sub-committees and panels of the Council, except regulatory committees, notwithstanding he/she is not a member thereof and, with the permission of the Chairman, take part in the discussion, but not vote or introduce new business;
  - (c) to ensure open access to relevant officers subject to normal protocols and courtesies, e.g. prior notification to relevant Director or Service Manager before approaching other officers;
  - (d) to recognise the rights of all councillors to be consulted in advance about matters affecting them as members, with particular regard to their ward constituency role and to be notified in advance about any proposed action;
  - (e) to meet the reasonable training needs of all members necessary for their duties and responsibilities for the authority;
  - (f) to recognise and provide support for the role of members in:
    - carrying out service reviews;
    - representing their constituents;
    - scrutinising Executive decisions;
    - participating in review of policy and procedure; and
    - exercising their right to challenge and call-in Executive decisions;
  - (g) to respond promptly to correspondence from Councillors and to provide dedicated administrative support;
  - (h) to provide suitable facilities for all members consistent with their communication and information needs; and
  - (j) to recognise the duty of the Chairman of the Council to act as spokesperson or champion for the needs of all Councillors in upholding this Charter.
2. Each member of the Council undertakes:
  - (a) to respect the duties and responsibilities of the Executive and its legal right to make decisions on its functions;
  - (b) to respect confidentiality of Council information and proceedings where appropriate particularly where exempt or confidential business is involved;

- (c) to recognise that there is an expectation for training attaching to duties of a Councillor;
- (d) to acknowledge that failure to participate in required training may risk members being unable to participate fully in relevant decision making, particularly in relation to regulatory and planning committees;
- (e) to respect the role of officers in running services;
- (g) to avoid unreasonable or personalised criticism of officers or other members at public meetings or similar occasions, or to the press or to constituents;
- (h) to adhere to the requirements of Standing Orders regarding visits to Council premises and dealings with individual staff; and
- (i) to uphold the council's Code of Conduct at all times.

3. Breach of this Charter by members may result in reference to the Monitoring Officer.

