

Article 2 – Members of the Council

2.01 The Council

- (a) **Composition.** The Council comprises 50 councillors (members). Members are elected by the voters of each ward in accordance with a scheme drawn up by the Local Government Commission and approved by the Secretary of State. Council elections are held every four years and councillors serve for that four year period. In May 2015, and in line with proposals from the Local Government Commission, the size of the Council was reduced from 55 to 50 members, with 19 two member wards and four three member ward.
- (b) **Eligibility.** Only registered voters of the district or those living or working in the borough will be eligible to hold the office of councillor.

2.02 Election and terms of councillors

Election and terms. The regular election of councillors will be held on the first Thursday in May every four years beginning in 2003. The terms of office of councillors will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.

2.03 Roles and functions of all councillors

(a) Key roles

All councillors shall:

- (i) collectively be the ultimate policy-makers for the Council;
- (ii) contribute to the good governance of the area and actively encourage community participation and action and involvement in decision making;
- (iii) lead and champion the interests of the local community and effectively represent the interests of their ward and of individual constituents;
- (iv) develop and maintain a good knowledge of their ward and Council;
- (v) develop and maintain strong positive relationships with local people by meeting; communicating and liaising with them regularly and involving and consulting them on local issues, decisions that affect them and opportunities in the community;
- (vi) deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
- (vii) respond to constituents' enquiries and representations fairly and impartially;
- (viii) be available to represent the Council on other bodies and submit reports on the activities of bodies upon which they represent the Council as required;
- (ix) represent the Council to the community and the community to the Council and support fellow councillors; and
- (x) maintain the highest standards of conduct and ethics.

(b) Rights and duties

- (i) Councillors 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 should not make public any 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; and
- (iii) For these purposes, "confidential" and "exempt" information are defined in the Access to Information Rules in **Part 4C** of this constitution.

2.04 Conduct

Councillors and town and parish councillors have a statutory duty to observe the Code of Conduct for Elected Members (see Part 5A). Councillors are also expected to work within the Council's protocols (see Part 5C).

2.05 Allowances

Councillors are entitled to receive allowances in accordance with the Scheme of Members' Allowances, as set out in Part 6.

Article 4 – Council Meeting

4.01 Meanings

(a) **Policy Framework.** The policy framework means the following plans and strategies:-

- Asset Management Plan;
- Community Safety Strategy;
- Sustainable Community Strategy;
- Corporate Plan;
- Equality, Diversity and Community Cohesion Strategy;
- Financial Strategy;
- Treasury Management Strategy;
- Housing Investment Programme - (including the Plan and Strategy);
- Local Area Agreement;
- Local Development Framework, excluding those elements which make up the Local Development Scheme; and
- Sustainability and Climate Change Strategy.

(b) **Budget.** The budget includes the allocation of financial resources to different services and projects, contingency funds, reserve funds, setting the Council tax, decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.

(c) **Housing Land Transfer.** Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985.

4.02 Functions of the Council

Only the Council will exercise the following functions:

- (a) adopting and changing the constitution;
- (b) approving or adopting the policy framework, the budget and any application to the Secretary of State in respect of any Housing Land Transfer;
- (c) subject to the urgency procedure contained in the Access to Information Rules in Part 4C of this constitution, making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
- (d) electing the Executive Leader at the first business meeting of the municipal year for a period of four years;
- (e) agreeing and/or amending the terms of reference for committees, the Members' Remuneration Panel and the Forward Editorial Panel and deciding on their composition and making appointments to them;
- (f) appointing representatives to outside bodies subject to a report from the Monitoring Officer;
- (g) adopting a scheme of members' allowances under Article 2.05;
- (h) changing the name of the area;
- (i) conferring the title of honorary alderman or freedom of the borough;
- (j) agreeing the appointments panel to appoint the head of paid service;
- (k) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (l) all local choice functions set out in Part 3 of this constitution which the Council decides should be undertaken by itself rather than the Cabinet;
- (m) agreeing the Code of Conduct for Elected members and the Protocols as set out in Part 5; and
- (n) all other matters which, by law, must be reserved to Council.

4.03 Council Meetings

There are three types of Council meeting:

- (a) the annual meeting (mayoral installation);
- (b) ordinary meeting; and
- (c) extraordinary meeting.

Council meetings must be conducted in accordance with the Council Procedure Rules (Standing Orders) as set out in Part 4A, of this constitution.

Article 5 – The Mayor

5.01 Role and function of the Mayor

In accordance with Section 11(7) of the Local Government Act 2000, the Mayor and Deputy Mayor shall not be members of the Cabinet.

The Mayor and in his/her absence, the Deputy Mayor, has the following roles and functions:

5.02 Ceremonial Role

The Mayor presides at such civic and ceremonial occasions as the Council deems appropriate. The Mayor also acts as first citizen of the borough and should always represent the Borough of South Ribble in a fit and proper manner.

The Mayor also attends functions within the borough, and on occasions outside the borough, at the request of the organisers of the particular function and represents the Council on each and every occasion.

5.03 Chairing the Council Meeting

The Mayor will be elected by the Council annually. The Mayor has the following responsibilities at Council meetings:

- i) to uphold and promote the purposes of the constitution, and to interpret the constitution when necessary;
- ii) to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community;
- iii) to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which members who are not on the Cabinet are able to hold to account the Cabinet members and any other member of the Council who hold positions of responsibility e.g. chairman of a committee, or is a Council representative on an outside body;
- iv) in partnership with the Leader of the Council, to promote public involvement in the Council's activities; and
- v) to be the conscience of the Council.

5.04 Chairing other Committee Meetings

The Mayor shall be able to sit on but not chair other committees.