

PART 2

Articles of the Constitution

Article 2 - Members of the Council

2.1 COMPOSITION AND ELIGIBILITY

2.1.1 Composition

The Authority comprises 40 Members representing 20 wards, with two Councillors representing each ward.

2.1.2 Eligibility

Subject to the qualifications and disqualifications set out in the Local Government Act 1972 only registered voters of the Borough of Cheltenham or those living or working or holding property in the Borough are eligible to hold the office of Councillor.

Certain Employees of the Authority and others are prohibited from becoming a Councillor.

2.2 ELECTION AND TERM OF OFFICE

Each Councillor holds office for four years and, unless he/she is elected at a by-election, the term of office starts on the fourth day after the day of the Borough elections at which they are elected and finishes on the fourth day after the Borough elections four years later.

The Authority holds elections every two years with half the Authority (i.e. one Councillor for each ward) retiring but, subject to his/her continuing eligibility, he/she is able to seek re-election.

2.3 ROLES AND FUNCTIONS OF COUNCILLORS

2.3.1 Key roles

The key roles of Councillors are to:

- (a) undertake functions as Members of Cabinet, Committees and Working Groups if appointed to do so by the Leader;
- (b) contribute to policy formation;
- (c) engage with and represent their communities whose views they will bring into the Authority's decision-making processes;
- (d) facilitate an understanding of the role and functions of the Authority within the community;

- (e) represent the Authority on outside bodies, if so appointed;
- (f) contribute to the good governance of the area and actively encourage community participation and public involvement in decision making;
- (g) maintain the highest standards of conduct and ethics.

2.3.2 Rights and duties

- (a) Councillors will have those rights of access to documents, information, land and buildings of the Authority which are necessary for the proper discharge of their functions and in accordance with the law.
- (b) Councillors will not make public any Confidential or Exempt Information without the consent of the Authority or divulge information given in confidence to anyone other than a Councillor or Officer entitled to know it.
- (c) For these purposes, "confidential" and "exempt" information are defined in the Access to Information Rules found at [Part 4E](#) of the Constitution.

2.4 CONDUCT

Councillors shall at all times observe the Code of Members' Conduct, the Protocol on Member/Employee Relations, the Protocol on Gifts and Hospitality, the Planning Code of Conduct and the Licensing Code of Conduct, all as set out in [Part 5](#) of this Constitution, and such other codes or protocols as the Authority may from time to time adopt.

2.5 ALLOWANCES

Councillors are entitled to receive allowances in accordance with the Members' Allowance Scheme set out in [Part 6](#) of this Constitution.

2.6 NOTICE OF MEETINGS

When the Proper Officer is giving notice to the public of the time and place of any Meeting in accordance with the Access to Information Rules, he/she shall as soon as practicable send a summons to the Meeting to every Member entitled to receive it and to the relevant substitute Members appointed by the Council. The summons will give the date, time and place of the Meeting and specify the business to be transacted and will be accompanied by such reports as are available.

Papers for meetings will be sent to Members at the address or the last address of which the Member has given notice in writing to the Proper Officer.

The Access to Information Rules deal with other Members' entitlement to receive papers for Meetings and are shown at Part 4E of the Constitution.

2.7 INFORMATION TO MEMBERS

It shall normally be sufficient for the purposes of keeping Members informed as to the business of the Authority, or on related matters, if the information is circulated to them in the normal course of post or delivery or by e-mail.

2.8 ACCESS TO WORKS AND PREMISES

Unless specifically authorised to do so by the Council, the Cabinet or a Committee, a Member may not issue any order respecting any works which are being carried out by or on behalf of the Authority or claim by virtue of his/her membership of the Authority any right to inspect or enter upon lands or premises or works which the Authority, or an employee duly authorised for the purpose, has the power or duty to inspect or enter.