

## ARTICLE 2 – MEMBERS OF THE COUNCIL

### 2.01 Composition and eligibility

- (a) **Composition:** The Council comprises 81 councillors, otherwise known as Members, who are elected by the voters of each electoral division in accordance with a scheme drawn up by the Electoral Commission and approved by the Secretary of State.
- (b) **Eligibility:** Only registered voters of the county or those living or working there 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 unless otherwise required by Order; the next election will be in May 2017. 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 will:

- (i) collectively appoint the Leader of the Council ('Leader');
- (ii) collectively set the budget and approve the statutory and strategic plans in the policy framework;
- (iii) represent their communities and bring their views into the Council's decision-making process;
- (iv) deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
- (v) balance different interests identified within the electoral division and represent the electoral division as a whole;
- (vi) meet regularly with community highway officers to discuss matters within his or her division;
- (vii) be involved in decision-making;
- (viii) be available to represent the Council on other bodies; and
- (ix) maintain the highest standards of conduct and ethics.

(b) **Rights and duties**

**Attendance at meetings**

- (i) Members of the Council may attend any meeting of the Cabinet or any committees of the Council of which they are not appointed members.
- (ii) Any Member who attends any such meeting may only speak with the Chairman's consent in circumstances where there is:
  - (a) an item on the agenda at the Member's request (see paragraph (iv) below);
  - (b) an item on the agenda in which the Member has a local or general interest;
  - (c) an item on the agenda related to an original motion standing in the Member's name which has been referred by the Council; and
  - (d) a question of which the Member has given notice.

A time limit of three minutes per speaker will apply, and normally statements and questions on particular agenda items will be taken under procedural matters.

- (iii) Any Member of the Council may request a meeting with the Leader and/or appropriate Cabinet Member about an item of business affecting his/her electoral division.
- (iv) Members of the Council may give notice that they wish to propose an item for inclusion on the agenda of a meeting of the Cabinet, (any committee of the Cabinet), or any committee of the Council. Notice must be given by e-mail or in writing not later than 14 days before the meeting. If the Chairman of the Cabinet or committee agrees, the item will be considered at the next meeting. The Member may attend the meeting and, with the consent of the chairman, speak on the item.
- (v) The Leader or appropriate Cabinet Member with portfolio responsibilities for a matter on the agenda of a select committee meeting may attend the meeting of the committee and, with the chairman's consent, speak on the matter.
- (vi) Where a select committee makes a report to the Leader/Cabinet, the chairman of the committee may attend the meeting of the Cabinet and, with the Chairman of the Cabinet's consent, speak for the committee on its report.

(c) **Agenda and Reports**

- (i) Any Member of the Council will on request be entitled to receive the agenda and any related reports or other documents for any or all meetings of the Cabinet, any committees of the Cabinet or any committees of the Council of which they are not appointed members.
- (ii) Requests for agenda should be made by e-mail or in writing. All requests will cease to be effective following the next Annual Meeting of the Council unless specifically reaffirmed at that time.

(Note: Any notice referred to in these paragraphs should be made by e-mail or in writing to the Democratic Services Lead Manager).

(d) **Material relating to previous business**

All Members will be entitled to inspect any document which is in the possession or under the control of the Cabinet, or its committees, and which contains material relating to any business previously transacted at a meeting of the Cabinet unless either (i) or (ii) below applies:

- (i) it contains exempt information falling within paragraphs 1, 2, 4, 5 and 7 of the categories of exempt information as set out in Article 3.02(k); or
- (ii) it contains the advice of a political adviser.

(e) **Material relating to key decisions**

All Members of the Council will be entitled to inspect any document (except those available only in draft form) in the possession or under the control of the Cabinet, or its committees, which relates to any key decision unless paragraph (i) or (ii) above applies.

(f) **Local Decisions**

- (i) Members will be consulted and asked to confirm (within a framework of allocated time and resources) the work plan for community gangs carrying out highway works within his or her division.
- (ii) Members will be consulted by the officer responsible for responding as a statutory consultee on applications for HGV operator licences in relation to sites within his or her division.

(g) **Nature of rights**

These rights of a Member are additional to any other right he/she may have.

(h) **Confidentiality**

Members of the Council will not disclose information which has been given to them in confidence or which is exempt without the consent of the Council or divulge information as defined in the Access to Information Rules.

2.04 **Conduct**

Members will at all times observe the General Principles of Conduct adopted by the County Council, the Member Code of Conduct and the Member/Officer Protocol set out in Part 6 of this Constitution.

2.05 **Allowances**

Members will be entitled to receive allowances in accordance with the Members' Allowances Scheme summarised in Part 7 of this Constitution.

2.06 **Publication**

This Constitution will be published on the Council's website.

A copy of this Constitution will be available in all Group Rooms, and copies will be available to Members on request.

Copies are also available for inspection at Council offices, can be accessed via Surrey libraries, and can be purchased by members of the local press and the public on payment of a small charge.