

ARTICLE 2 - MEMBERS OF THE COUNCIL

2.1 Composition: The Council comprises 59 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 and approved by the Secretary of State.

2.2 Eligibility: Unless otherwise disqualified by virtue of the provision of the Local Government Act 1972, or any other Act, a person shall be qualified to be elected and to be a member of Bath & North East Somerset Council if he/she is a British subject or a citizen of the Republic of Ireland and on the relevant day he/she has attained the age of 18 years and

- on that day he/she is and thereafter continues to be a local government elector for Bath & North East Somerset Council;
- he/she has during the whole of the 12 months preceding that day occupied as owner or tenant any land or other premises in Bath & North East Somerset;
- his/her principal or only place of work during that 12 months has been in Bath & North East Somerset; or
- he/she has during the whole of those 12 months resided in Bath & North East Somerset

“Relevant day” means

- except in the case of an election not preceded by the nomination of candidates, the day on which he/she is nominated as a candidate and also, if there is a poll, the day of the election; or
- where the election is not preceded by the nomination of candidates,, the day of election.

2.3 Election and term of office of councillors: The regular election of councillors will be held on the first Thursday in May every four years. An election took place in May 2019. The terms of office of councillors start on the fourth day after being elected and finish on the fourth day after the date of the next regular election.

2.4 Roles of all councillors: 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) deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
- (iv) balance different interests identified within the ward or electoral division and represent the ward or electoral division as a whole;

- (v) be involved in decision-making;
- (vi) be available to represent the Council on other bodies; and
- (vii) maintain the highest standards of conduct and ethics.

The Council will devise detailed guidance on the roles and responsibilities of councillors which will be used to help in their training and development.

2.5 Rights and duties of Councillors: Councillors will have the following rights and duties:

- (i) 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 and in accordance with the Access to Information rules under Part 4B of this constitution.
- (ii) Councillors will not make public any information which is confidential or exempt (as defined in legislation and in accordance with Part 4B of this constitution) without the consent of the Council.
- (iii) Councillors will not divulge information given to them in confidence. Councillors may however divulge confidential information to other councillors or to officers, if there is a clear entitlement to the information. The Monitoring Officer will give advice to any councillor on this matter.
- (iv) For these purposes, "confidential" and "exempt" information are defined in the Access to Information rules set out in Part 4B of this constitution.

2.6 Conduct: All Councillors shall undertake in writing to observe the Council's Local Code of Conduct adopted by the Council on 19 July 2012. The Council also expects Councillors to observe the Protocol on Member/Officer Relations, the supplementary guidance on the Local Code of Conduct and the Code of Good Practice on Planning Matters set out in this Constitution.

2.7 Allowances: Councillors will be entitled to receive allowances in accordance with the Scheme of Allowances set out in this Constitution. Allowances are determined by the Council having taken into account the recommendations of its Independent Panel on Members' Allowances.