

Article 2 – Members of the Council

2.1 a) Composition

The Council will comprise 56 members, otherwise called Councillors. One or more Councillors will be elected by the voters of each of the 30 wards in accordance with a scheme drawn up by the Local Government Boundary Commission for England and approved by the Secretary of State.

b) Eligibility

Only registered voters of the District, or those living or working there, or owning property or renting property within the District will be eligible to stand for election as a Councillor.

2.2 Election and terms of Councillors

The regular election of Councillors will be held on the first Thursday in May every four years, with the next election to take place in May 2019. 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.

2.3 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) Contribute to the good governance of the area and actively encourage community participation and public involvement in decision making
- (iii) Effectively represent the interests of their ward and of individual constituents
- (iv) Balance different interests identified within the ward and represent the ward as a whole
- (v) Be involved in decision-making
- (vi) Be available to represent the Council on other bodies
- (vii) 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 authorised officer 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 the Access to Information Rules in Article 17 of this Constitution
- (iv) All District Councillors are required to attend the core training programme within 12 months of their appointment as a Councillor and attend any mandatory training necessary to sit on specific Committees i.e. Development Management Committee, Licensing Committee and Governance and Audit Committee.
- (v) All members of the Development Management Committee, Licensing Committee (including Alcohol, Entertainment and Late Night Refreshment Licensing Committee) and Governance and Audit Committee are required to undergo mandatory training at the start of each term of office following an election. This mandatory training requirement relates to new Members, returning Members and substitute Members.
- (vi) Members of these Committees (as mentioned in v above) are required to attend refresher training on an annual basis for the remainder of their term in order to retain their position on the Committee.
- (vii) All members have the right to ask questions of the Cabinet and Cabinet Members in any meeting of full council and have these questions responded to and formally recorded.
- (viii) Any member has the right to place items on the agenda of any council committee or overview and scrutiny committee.
- (ix) Any member has the right to attend all Committees.
- (x) Any member has the right to refer matters to the Overview and Scrutiny Committees.
- (xi) Any member called before a members’ disciplinary panel has a right to legal representation.

(xii) Members have the right to propose amendments to motions and reports presented to committees for decision.

(xiii) Members have the right to call-in.

(xiv) Members have the right to make a 'Call for Action' on behalf of their constituents.

Rules (vii) to (xiv) are rights which must be exercised in accordance with the provisions contained within this Constitution.

2.4 Conduct

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

2.5 Allowances

Councillors are entitled to receive allowances as set out in the Members Allowance Scheme. Current scheme below

MEMBERS ALLOWANCE SCHEME 2018/19

| BASIC ALLOWANCE | £per annum |
|---|------------|
| Payable to every Councillor | 5,517 |
| SPECIAL RESPONSIBILITY ALLOWANCES | |
| Leader of the Council | 19,305 |
| Deputy Leader of the Council | 15,168 |
| Cabinet Member | 11,031 |
| Development Management Committee Chairman | 4,965 |
| Development Management Committee Vice-Chairman | 1,638 |
| Licensing Committee Chairman | 3,033 |
| Licensing Committee Vice-Chairman | 1,002 |
| Overview and Scrutiny Committee Chairman x 5 | 5,517 |
| Overview and Scrutiny Committee Vice-Chairman x 5 | 1,821 |
| Opposition Group Leaders (pro rata) | 5,517 |
| Constitution Committee Chairman | 2,484 |
| Constitution Committee Vice-Chairman | 819.00 |
| Governance & Audit Committee Chairman | 3,678 |
| Governance & Audit Committee Vice-Chairman | 1,215 |
| Employment Committee Chairman | 3,678 |
| Employment Committee Vice-Chairman | 1,215 |
| Shareholder Committee Chairman | 3,678 |
| Shareholder Committee Vice-Chairman | 1,215 |

Independent Person

Independent Person Special Responsibility Allowance 1,000 per annum

Any member entitled otherwise to more than one special responsibility allowance shall only be entitled to take one such allowance that being the highest.

Childcare and carers allowance: An allowance for child care and carers at £5.89 per hour is payable, subject to a ceiling of £1,110 per annum per Councillor, payable for approved duties on presentation of a receipt/invoice or signed verification from the carer to confirm the arrangements.

2.5.1 Travelling Expenses (elected members and non-elected co-opted members)

Travelling expenses are payable at a rate of 45 pence per mile (irrespective of the cc of the car) for the following

Travelling expenses are payable for the following

- (i) Full Council meetings
- (ii) Cabinet, Committee or sub Committee meetings of which a member, or if not a member of a meeting, is attending where they have a legitimate interest in a matter that is scheduled to be discussed.
- (iii) Outside bodies to which the Council makes nominations/appointments (but not representation on school governing bodies) where the Councillor is in attendance as a nominee of the Council
- (iv) Meetings in effect 'set-up' by the Council, such as working groups provided membership includes more than one political group or group leaders meetings
- (v) Travel and subsistence expenses to be met for all Councillors on Working Groups provided that they have been appointed in a properly constituted Meeting Body comprising more than one Political Group and that the membership of the Working Group is open to all Members of that Meeting Body.
- (vi) That the above principal should apply for a Councillor invited to serve on a Working Group but not on the parent Meeting Body.

- (vii) Meetings of the various tiers of the Local Government Association
- (viii) Planning site visits as a rostered member of the Development Management Committee, not as a local representative pursuing constituency interests
- (ix) Seminars, conferences and similar informal meetings at the behest of Committee
- (x) Other meetings for the Council such as staff appointments, training seminars and meetings with officers in connection with a member's portfolio (not normal constituency business)
- (xi) Duties, which are undertaken in connection with being a Cabinet Member, Chairman/Vice-Chairman of an Overview and Scrutiny, Chairman/Vice-Chairman of Regulatory Committees such as briefing meetings, visits and opening tenders
- (xii) Meetings with officers to discuss items included on Council, Cabinet and committee agendas where the Council has made a pre-arranged appointment.
- (xiii) Town and Parish Council meetings, including Parish Meetings within the Members' Ward that they attend as a representative of South Kesteven District Council.
- (xiv) Duties, which are undertaken in connection with being a Cabinet Member, Chairman/Vice-Chairman of an Overview and Scrutiny, Chairman/Vice-Chairman of Regulatory Committees such as briefing meetings, visits and opening tenders

2.5.2 Subsistence Expenses

Reimbursement of actual costs incurred to a maximum of

Breakfast Allowance

An absence of at least 4 hours before 11am - £6.80

Lunch Allowance

An absence of at least 4 hours including the whole of noon to 2pm - £9.60

Tea Allowance

An absence of at least 4 hours including the whole of the period 3pm – 6pm - £3.70

Evening Meal Allowance

An absence of at least 4 hours ending after 7pm - £11.70

Overnight Absence

In the case of an absence overnight from the usual place of residence – full cost of reasonable and necessary expenses

2.5.3 Additional Guidance for Subsistence Entitlement;

- (i) Entitlement for subsistence is determined against the same criteria as travelling expenses when claiming for duties outside the district
- (ii) Entitlement for Subsistence when attending the main Council Offices or within the district should only be when attending two separate meetings (as defined at travelling expenses numbers 2.5.1 (i) to (viii)). Note number 2.5.1 (ix) duties undertaken in connection with being Cabinet Members or Chairman/Vice-chairman such as briefing meetings, etc. do not count for the purposes of entitlement to subsistence
- (iii) In the case of an absence overnight from the usual place of residence, full cost of reasonable and necessary expenses is payable. With regard to meals claimed reference will be made to the normal allowances, taking account of any unavoidable captive charges. The Strategic Director, Corporate Focus will make a decision on any dispute on 'reasonable and necessary' expenses
- (iv) Where a Councillor's existing private domestic broadband connection is used for access to South Kesteven District Council systems, an allowance will be paid to that member. Co-habiting members shall only be entitled to make one claim per household for broadband allowance. The level of reimbursement will be the actual amount paid by the member for his or her broadband connectivity up to a maximum of £21.99 per month. Members will need to submit a copy of a recent bill from their service provider indicating the monthly connectivity charge in order to claim the reimbursement