

# **Part 1: Chapter 2**

## **Members of the County Council**

### **1. Composition and Eligibility**

Composition – The County Council has 78 elected members, known as Councillors. Each Councillor represents one of the 75 divisions in Hampshire and is elected by the voters on the electoral roll for that division, in line with a scheme drawn up by the Local Government Commission and approved by the Secretary of State.

Eligibility – Only registered voters within the county area, or those living or working there, are able to stand for election and hold the office of County Councillor.

### **2. Election and term of office of Councillors**

#### **Election of the whole Council every four years**

The regular election of Councillors is held every four years, usually on the first Thursday in May. The term of office of County 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. If a County Councillor becomes ineligible to continue serving, for whatever reason, an election for a 'casual vacancy' will be held unless the vacancy arises within six months of a regular four-yearly election. If this happens, the 'casual vacancy' election will be held at the same time.

A casual vacancy occurs when one of the following events occur:

- 2.1. non-acceptance of office;
- 2.2. resignation from office, upon receipt of written notice to the Proper Officer;
- 2.3. in the case of death, on the date of death;
- 2.4. vacation of office by virtue of failure to attend a meeting of the County Council within a period of six consecutive months commencing on the date of the last attendance, unless the absence was approved by the County Council within that period;
- 2.5. they are otherwise disqualified by law.

### **3. Roles and functions of all Councillors**

### 3.1. **Key roles:**

All County Councillors are expected to undertake the following key roles:

- 3.1.1. to act locally to represent, promote and support the interests of their electoral division and the community within the electoral division and to represent the County Council within the electoral division;

#### **Context**

To act in line with:

- i) current legislation;
- ii) national codes of conduct and standards;
- iii) the Constitution, including:
  - Members' Code of Conduct (set out in full in Part 4, Appendix A);
  - Local Protocol on Planning, Rights of Way, Commons and Village Green Registration (set out in full in Part 4, Appendix B);
  - Protocol for Member/Officer Relations (set out in full in Part 4, Appendix D)
  - the policy framework (see Part 1 Chapter 4, Paragraph 1.3);
  - budget policies.

### 3.2. **Key tasks:**

- 3.2.1. Representing the County Council in the community;
- 3.2.2. Representing and promoting the interests of the community of Hampshire;
- 3.2.3. Acting as the prime link between the County Council and the local community by providing information to, and feedback from, that community;
- 3.2.4. Attending and participating in County Council meetings; supporting the County Council's key role of delivering services to the community; and providing strong local governance, in particular:

- 3.2.4.1. participating in developing and agreeing the County Council's budget and key policies;
- 3.2.4.2. as County Councillors taking decisions about executive functions which are outside the budget and policies agreed by the County Council; and
- 3.2.4.3. making appointments to Committees, Standing Panels and to outside bodies, as the Constitution provides.
- 3.2.5. Undertaking membership, as required, of County Council Committees, Sub-Committees, and Standing Panels;
- 3.2.6. Undertaking membership of outside bodies as appointed by the County Council.
- 3.2.7. Act as 'corporate parent' of looked-after children.

### **3.3. Rights and duties**

- 3.3.1. County Councillors have rights of access to information and documents as referred to in Standing Order 32 of Part 3, Chapter 1, and Paragraph 5 of the Protocol for Member/Officer Relations set out at Part 4, Appendix D of this Constitution, and County Council land and buildings such as are necessary for them to perform their functions properly, in line with the spirit and intent of the Constitution, subject to restrictions in respect of exempt information referred to within the Protocol for Member/Officer Relations.
- 3.3.2. County Councillors have a responsibility to act at all times within the context set out under 'Key Roles' (Paragraph 3.1, above). In particular, they will not make public any information which is confidential or exempt, without the County Council's consent, or divulge information they were given in confidence to anyone other than a County Councillor or Officer entitled to know it. The Member or Officer receiving such information is also bound by this right and duty.
- 3.3.3. For these purposes, 'confidential' and 'exempt' information are defined in the Access to Information Procedure Rules in Part 3, Chapter 4 of this Constitution.

## **4. Conduct**

At all times, County Councillors will observe the Members' Code of Conduct, the Local Protocol on Planning, Rights of Way, Commons and Village Green Registration and the Protocol for Member/Officer Relations set out in Part 4, Appendix A, Part 4, Appendix B, and Part 4, Appendix D

of this Constitution;

5. **Allowances**

County Councillors will be entitled to receive allowances in line with the Members' Allowances Scheme set out in Part 4, Appendix E of this Constitution.